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# UPMSRA eNews

Unity  
and  
Struggle

Organ of Uttar Pradesh Uttarakhand Medical and Sales Representatives' Association

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## Spirit of Quit India Movement: लड़ो या मरो

### Corrupt & Moribund Capitalism has no Hope of Solving Humanity's Problems

UPMSRA Units observed Independence Day on 15/08/2022. Units also observed 80<sup>th</sup> anniversary of the Quit India Movement on 09/08/2022. UPMSRA Units submitted memorandum through district magistrate to the Prime Minister on demands of the Sales Promotion Employees and Health and Medicine Related Demands.

15 अगस्त 1947 को भारत को ब्रिटिश शासन से स्वतंत्रता मिली. स्वतंत्रता संग्राम के दौरान लाखों लोगों ने अपने प्राणों की आहुति दी. भारत के मजदूर वर्ग और उनकी ट्रेड यूनियनों ने स्वतंत्रता संग्राम में बड़ी भूमिका निभाई और इसे प्रगतिशील दिशा दी. स्वतंत्रता आंदोलन में मजदूर वर्ग के अपार योगदान को भारतीय संविधान के निर्माताओं ने स्वीकार किया और उन्होंने भारत के संविधान में श्रमिकों के महत्वपूर्ण अधिकारों को शामिल किया.

स्वतंत्रता-पूर्व अवधि के दौरान और स्वतंत्रता के 75 वर्षों के दौरान, मजदूर वर्ग ने कई लड़ाईयां लड़ी हैं, और भारत पर शासन करने वाले पूंजीपतियों और जमींदारों से कुछ अधिकार छीन लिए हैं. मजदूर वर्ग के तमाम संघर्षों और कुर्बानियों से जीते गये अधिकारों पर, आज घातक हमला हो रहा है. श्रम संहिताएँ, काम करने की स्थितियाँ, यूनियन नेताओं के साथ व्यवहार और मजदूर वर्ग के आंदोलनों पर हमला, औपनिवेशिक "कंपनी राज", की नीतियों को प्रतिबिंबित करता है.

स्वतंत्रता संग्राम के दौरान, श्रमिकों ने विभाजनकारी राजनीति का विरोध किया और औपनिवेशिक शासकों को हराने के लिए एकजुट हुए. अब, एक बार फिर, भारत के

मजदूरों के सामने चुनौती है. मजदूरों की एकता में जहर घोलने के हर प्रयास का विरोध करना होगा और भारत के लोकतंत्र और स्वतंत्रता की रक्षा के लिए एकजुट होना होगा. सरकार उन विनाशकारी आर्थिक नीतियों को तेज कर रही है जिनका एकमात्र उद्देश्य क्रोनी कैपिटलिस्टों की मदद करना है. सरकार राष्ट्रीय संपत्तियों को बेच रही है जो जनता और देश के हित के खिलाफ हैं.

श्रम कानूनों को खत्म किया जा रहा है जो भारत के संविधान की भावना के खिलाफ हैं. शांतिपूर्ण विरोध के अधिकार को क्रूर पुलिस बल द्वारा कुचल दिया जाता है.

सेल्स प्रमोशन कर्मचारियों पर नियोक्ताओं और सरकार द्वारा लगातार हमला किया जा रहा है. नियोक्ता कर्मचारियों को स्थानांतरित कर रहे हैं, अवैध रूप से उनका काम रोक रहे हैं और SPE Act का उल्लंघन कर रहे हैं. वे फर्जी मुद्दे बनाकर कर्मचारियों को वेतन और डेली अलाउंस का भुगतान करने से इनकार कर रहे हैं. नियोक्ता सभी श्रम कानूनों का उल्लंघन कर रहे हैं. वे लगातार मजदूरों को धमका रहे हैं और अपमानित कर रहे हैं. इन मुद्दों पर प्रधानमंत्री, मुख्यमंत्रियों और श्रम अधिकारियों को की गई शिकायतों की अनदेखी की जाती है. ऐतिहासिक भारत छोड़ो आंदोलन 09/08/1942 को शुरू किया गया था. भारत छोड़ो आंदोलन का नारा था: करो या मरो.

इस दौरान विशेष कार्यक्रम आयोजित कर स्वतंत्रता संग्राम के शहीदों को श्रद्धांजलि अर्पित किया गया. यह अवसर शासकों को सभी के लिए सामाजिक, आर्थिक और राजनीतिक न्याय सुनिश्चित करने के लिए सेल्स प्रमोशन कर्मचारियों सहित सभी श्रमिकों के अधिकारों के प्रति उनके संवैधानिक दायित्वों को याद दिलाने का है.



# अंग्रेजों भारत छोड़ो आंदोलन के 80 साल

तुम्हारी फाइलों में गाँव का मौसम गुलाबी है, मगर ये आंकड़े झूठे हैं ये दावा किताबी है



Kanpur



Gonda



Pratapgarh



Hapur



Shahjahanpur



Firozabad



Basti



Pilibhit



Lakhimpur



Ballia



Bulandshahr



Raebareli



Padrauna



Varanasi



Bijnor



Gorakhpur



Bahraich



Mirzapur



# Council Related Movement in UPMSRA

## We must Choose either Champagne for a Few or Safe Drinking Water for All

Pharmaceutical company owners are indulging in illegality by refusing to pay the wages to the sales promotion employees. Workers are being transferred, terminated and denied work; wages are deducted or not paid at all. The employers are violating the Sales Promotion Employees Act and other laws. The employers are bringing new work systems, and newer forms of reporting systems in total violation of laws. Employers are violating the legally binding bilateral settlements.

Considering the gravity of attack on the job of sales promotion employees, the uniformity and intensity of the protest programmes should be felt by the industry and corporates. The industry must receive the clear message in the form of protest all over the country.

Councils and Council Sub Committees in UPMSRA are seriously implementing the Council Related Programmes to resist the unlawful acts of the employers.



## दम है कितना दमन में तेरे, देख लिया है देखेंगे

## Alkem Management Fails to Intimidate Ballia Unit

Alkem management is known for inhuman and illegal acts against the Sales Promotion Employees. Management victimised Comrade Ajit Kumar Singh (Ballia H.Q.) during COVID-19 Pandemic due to his trade union activities. HR President of Alkem along with about 40 managers and bouncers went to Ballia to create terror among the members of UPMSRA.

Despite provocation, members of UPMSRA Ballia Unit faced the gang of managers and through their campaign ensured that doctors of Ballia refused to meet the Alkem management till resolution of victimisation issue of Comrade Ajit Kumar Singh.

Desperate management tried to implicate UPMSRA members in false police cases, but massive mobilisation and support from CITU, Lawyers and District Labour Co-ordination Committee ensured that the nefarious designs of Alkem management led by its HR President could not succeed.

During 80<sup>th</sup> anniversary of Quit India Movement, UPMSRA Ballia Unit revived the spirit of defiance and resistance displayed by people of Ballia in August 1942 against the British Rulers. Any employer who defies the Constitution of India and emulates the colonial masters shall be resisted and defeated.

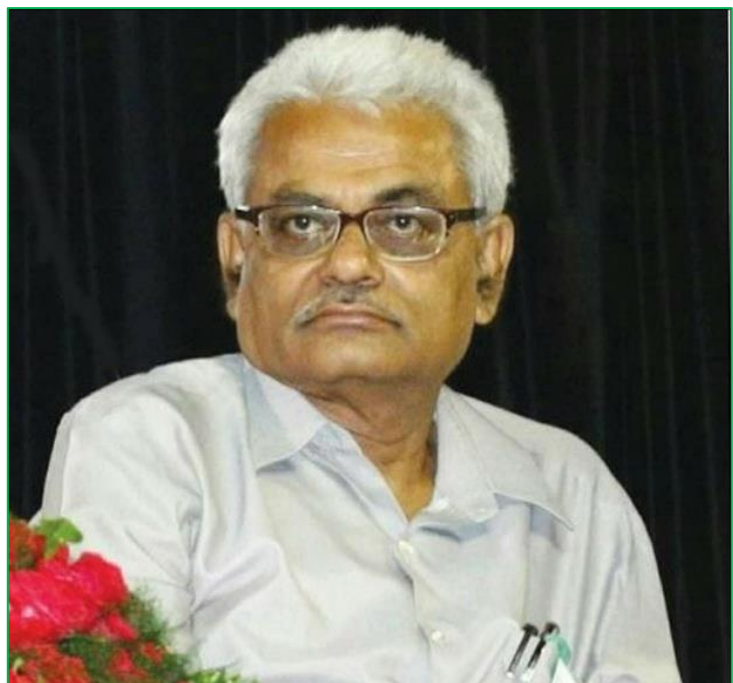


Caplet India Private Ltd: All India Strike and Dharna at H.O. Kolkata on 19/09/2022

Himalaya Wellness Company: All India "Flash" Strike on 23/08/2022

# Remembering Comrade DP Dubey

## FMRAI General Secretary (1991 to 2013)



FMRAI Office, New Delhi

**26<sup>th</sup> August 2022 was sixth death anniversary of former FMRAI General Secretary Comrade DP Dubey.** On this day Comrade Tapan Sen (CITU General Secretary) inaugurated Comrade DP Dubey Memorial Education Centre at Daryaganj, New Delhi. He addressed an online public meeting which was also addressed by Comrade R Ramesh Sundar (FMRAI President), Comrade Santanu Chatterjee (FMRAI General Secretary), Comrade JS Majumdar (CITU Vice President and former General Secretary of FMRAI), Comrade Amitava Guha (CITU Secretary and former Joint General Secretary of FMRAI) and senior CITU Leaders. **FMRAI Secretariat Members and members of DSMRO were present. Large number of UPMSRA members attended the meeting online.**

Comrade Durga Prasad Dubey, popularly known as DP Dubey became General Secretary of FMRAI in its conference in Chennai in 1991 and remained in that position till FMRAI Conference in Kolkata in 2013. Comrade DP Dubey was born on 28<sup>th</sup> April 1943. He joined as Medical Representative in TTK Pharmaceuticals at Guwahati H.Q., Assam, in 1967. Later, he switched over to Raptakos Brett & Company in Guwahati. He

became first General Secretary of Commercial Representatives' Union (CRU), registered under Trade Union Act, covering entire North East Region. He remained in that position till his transfer to Kolkata in April, 1979.

During the period between 1983 to 1985 fieldworkers' movement witnessed historic Raptakos Brett & Company struggle under his leadership. As a result, he along with large number of Raptakos Brett & Company fieldworkers were victimised by the management. After conclusion of the movement, other fieldworkers were reinstated in services, but Comrade DP Dubey started working whole time for FMRAI.

Under leadership of Comrade DP Dubey, Company wise fieldworkers' unity through council movement gathered momentum to achieve trade union and collective bargaining rights. FMRAI's position was firmly established in the united movement of working class of the country.

We pay homage to this legendary leader of fieldworkers' movement of the country, whose contribution towards developing the organisation shall always be remembered.

## FMRAI Workshop on Organisation and Movement

**UPMSRA leaders participated in FMRAI workshop on Organisation and Movement held on 28/08/2022 at Comrade DP Dubey Memorial Education Centre, New Delhi.** President, General Secretary, Treasurer, Convener of Membership Sub Committee and Convener of Council Sub Committee of the States of North Zone (UPMSRA, RMSRU, HPMRA, HSMSRU, PCMSRU, DSMRO) were asked to participate. In the workshop a selected section of council leadership was also invited to further

strengthen the integration of councils and general unity. Training and Workshop play a significant role in the development of organisation and movement. Comrade R Ramesh Sundar (FMRAI President) explained the Organisation part and Comrade Santanu Chatterjee (FMRAI General Secretary) explained the Movement part. Comrade Shubrangshu Bhattacharyya (FMRAI Secretary and Convener of Training and Workshop Sub Committee of FMRAI) introduced the subjects.

## M.O.U. in Dey's for Revision of Daily Allowance & Travel Fare

**Memorandum/ Minutes of Understanding was signed between Dey's Management and FMRAI on 26/08/2022 for upward revision of Daily Allowance and Rate/ Fare per KM Travel.** It is applicable to all the Medical and Sales Representatives of the company. Daily Allowance and Rate/ Fare is revised for a period

of two years from 01/01/2022 to 31/12/2023. The arrear payment of Daily Allowance and Rate/ Fare per KM Travel for the period 01/01/2022 to 31/08/2022 will be paid within December 2022. **This M.O.U. will further strengthen the bilateral relation between Dey's Management and FMRAI in mutual interest.**

### Mazdoor Kisan Convention on 05/09/2022

All India Joint Convention of Workers, Peasants and Agricultural Workers will be held on 05/09/2022 from 10am at Talkatora Stadium, New Delhi. The Convention will decide future course of joint actions to defy and resist the ruling class offensives.

### Conference of CITU U.P. at Ghazipur

15<sup>th</sup> State Conference of CITU Uttar Pradesh will be held at Ghazipur on 6<sup>th</sup> and 7<sup>th</sup> November 2022 at Lahuri Kashi Marriage Hall, Jal Nigam Road, Rauza, Ghazipur.

## UPMSRA Units hold Annual General Body (AGB) Meetings

**GORAKHPUR:** UPMSRA Gorakhpur Unit AGB Meeting was held on 07/08/2022. Comrade Obijeet Talukdar and Kaushalendra Pandey attended the AGB Meeting as UPMSRA observer. **Unit Membership for year 2022 is 363.** 80 members attended the AGB Meeting. 19 members Executive Committee was elected. Sanjoy Kumar Dey, Akhilesh Upadhyay and Vinay Kumar Gupta were elected President, Secretary and Treasurer respectively.

**BASTI:** UPMSRA Basti Unit AGB Meeting was held on 31/07/2022. Comrade Kaushalendra Pandey and Sheshnath Tiwari attended the AGB Meeting as UPMSRA observer. **Basti Unit Membership for year 2022 is 270.** 80 fieldworkers attended the AGB Meeting. 15 members Executive Committee was elected unanimously. Rakesh Kumar Upadhyay, Ranjeet Kumar Srivastava and Deep Narayan Singh were elected President, Secretary and Treasurer respectively.

**SAHARANPUR:** UPMSRA Saharanpur Unit AGB Meeting was held on 07/08/2022. Comrade Hemant Kumar Singh and Vimesh Kumar Mishra attended the AGB Meeting as UPMSRA observer. **Unit Membership for year 2022 is 235.** 106 fieldworkers attended the AGB Meeting. 15 members Executive Committee was elected. Rajat Vashishth, Rajneesh Chauhan and Nandan Sharma were elected President, Secretary and Treasurer respectively.

**ROBERTSGANJ:** UPMSRA Robertsganj Unit AGB Meeting was held on 08/08/2022. Comrade Manoj Sharma attended as observer. **Unit Membership for year 2022 is 48.** 42 fieldworkers attended the AGB Meeting. 11 members Executive Committee was elected. Naveen Singh, Sarfaraz Ahmad and Sanjeev Verma were elected President, Secretary and Treasurer respectively.

**AGRA:** UPMSRA Agra Unit AGB Meeting was held on 05/08/2022. Comrade CK Pathak attended as UPMSRA observer. **Unit Membership for year 2022 is 152.** 53 fieldworkers attended the AGB Meeting. 15 members Executive Committee was elected. Devendra Tiwari, Sunil Singh Chauhan and Akash Verma were elected President, Secretary and Treasurer respectively.

**BHADOHI:** UPMSRA Bhadohi Unit AGB Meeting was held on 13/08/2022. Comrade Niraj Srivastava and Rajesh Rawat attended the AGB Meeting as UPMSRA observer. **Bhadohi Unit Membership for year 2022 is 25.** 8 fieldworkers attended the AGB Meeting. 7 members Executive Committee was elected. Brijendra Shukla, Rahul Mishra and Neeraj Shukla were elected President, Secretary and Treasurer respectively.

**VARANASI:** UPMSRA Varanasi Unit AGB Meeting was held on 07/08/2022. Comrade Niraj Srivastava and Ram Murti Rai attended as UPMSRA observer. **Varanasi Unit Membership for year 2022 is 551.** 124 members attended the AGB Meeting. 25 members Executive Committee was elected. Alok Mishra, Dheeraj Kumar Srivastava and Balendra Bahadur Singh were elected President, Secretary and Treasurer respectively.

**BULANDSHAHR:** UPMSRA Bulandshahr Unit AGB Meeting was held on 07/08/2022. Comrade Dhananjay Singh attended the AGB Meeting as UPMSRA observer. **Bulandshahr Unit Membership for year 2022 is 136.** 85 fieldworkers attended the AGB Meeting. 11 members Executive Committee was elected. Kapil Sharma, Aditya Kaushik and Ravi Kumar Sharma were unanimously elected President, Secretary and Treasurer respectively.

**SULTANPUR:** UPMSRA Sultanpur Unit AGB Meeting was held on 28/08/2022. Comrade Satish Choubey and Vinay Prakash Srivastava attended the AGB Meeting as UPMSRA observer. **Unit Membership for year 2022 is 217.** 228 fieldworkers attended the AGB Meeting. 15 members Executive Committee was elected. Prem Nath Tiwari, Ashish Kumar Gupta and Santosh Bhatt were elected President, Secretary and Treasurer respectively.

**AZAMGARH:** UPMSRA Azamgarh Unit AGB Meeting was held on 07/08/2022. Comrade Ajit Kumar Singh and Piyush Upadhyay attended as observer. **Unit Membership for year 2022 is 231.** 102 members attended Meeting. 15 members Executive Committee was elected. Sudhanshu Rai, Vinay Krishna Asthana and Adarsh Rai were elected President, Secretary and Treasurer respectively.

**ETAWAH:** UPMSRA Etawah Unit AGB Meeting was held on 07/08/2022. Comrade Bhuvan Singh Chauhan attended as observer. **Unit Membership for year 2022 is 72.** 34 fieldworkers attended the AGB Meeting. 11 members Executive Committee was elected. Sushil Sharma, Sunil Sharma and Ankit Sharma were elected President, Secretary and Treasurer respectively.

**FIROZABAD:** UPMSRA Firozabad Unit AGB Meeting was held on 24/08/2022. Comrade Sunil Singh Chauhan and Akash Verma attended the AGB Meeting as UPMSRA observer. **Firozabad Unit Membership for year 2022 is 26.** 35 fieldworkers attended the AGB Meeting. 11 members Executive Committee was elected. Ritesh Upadhyay, Sunil Kumar Singh and Vipin Tripathi were elected President, Secretary and Treasurer respectively.

Comrade Om Awasthi (H.Q. Lakhimpur) was working as SPE in Micro. He died on 22/06/2022. (Please see UPMSRA eNews of July 2022). UPMSRA Lakhimpur Unit handed over cheque of Rs. 100,000 to wife of late Comrade Om Awasthi on 07/08/2022.



Comrade Sumit Gupta (H.Q. Allahabad) was working as SPE in Cadila Pharma. He died on 23/08/2022. We deeply condole and express our heartfelt condolences to the bereaved family.

Comrade Gagandeep Singh Baliyan (H.Q. Muzaffarnagar) is working as SPE in DRL. He is suffering from serious kidney ailment. UPMSRA Muzaffarnagar Unit contributed Rupees 100,000 as assistance for his treatment.

UPMSRA Gonda Unit intervened in the issue of Comrade Ajeet Pandey (H.Q. Gonda) who was working as SPE in Shreya. After the intervention of the Unit, management of the company released all the pending dues.

### Central Executive Committee Meeting

CEC Meeting of UPMSRA was held at UPMSRA Bhawan, Lucknow on 21/08/2022. Agenda of the CEC Meeting was 1) Organisation [a) Unit AGB Meetings, b) UPMSRA Conference] 2) Membership and Accounts 3) Programmes 4) Miscellaneous. UPMSRA Conference Poster was released by Comrade Rakesh Pandey.

### UPMSRA Conference at Lucknow

UPMSRA Conference will be held at Lucknow on 18<sup>th</sup>, 19<sup>th</sup> & 20<sup>th</sup> September 2022 at Agarwal Shiksha Sansthan, Moti Nagar, Lucknow. Massive Rally shall be organised on 18/09/2022 at Lucknow. There should be maximum mobilization for the Rally by all the Units.

## Uniform Code of Pharmaceuticals Marketing Practices Make UCPMP Statutory, Give Stringent Punishment to Violators

Uniform Code of Pharmaceuticals Marketing Practices (UCPMP) is a voluntary code issued by the Department of Pharmaceuticals under the Union Ministry of Chemical and Fertilizers on 12/12/2014. It was made voluntary for six months from 01/01/2015 and was supposed to be reviewed after six months. UCPMP is related to marketing practices for pharmaceutical companies as well as the medical devices industry.

**Key Provisions of UCPMP:** 1) No gifts, pecuniary advantages or benefits shall be supplied, offered or promised by a pharma company or its agents to persons qualified to prescribe or supply drugs. 2) Companies or their associations/ representatives shall not extend any travel facility; any hospitality like hotel accommodation to healthcare practitioners and their family members under any pretext. 3) It also prescribes additional conditions that are to be observed while providing samples. 4) Companies or their associations/ representatives shall not pay any cash or monetary grants to any healthcare professional under any pretext. 5) In order to appoint Medical Practitioners/ HCPs as affiliates there should be a written contract, legitimate need for the services must be documented.

**But this Code is shamelessly violated by the pharmaceutical industry without any punitive action against the owners.** A revealing report “Promotional Practices of the Pharmaceutical Industries and the Implementation Status of Related Regulatory Codes in India” by Dr Arun Gadre and Dr Archana Giwate, who are attached with a Pune-based health group Sathi, has highlighted the government’s kid-glove treatment in dealing with unethical marketing practices of pharma companies.

**Down To Earth (DTE)** filed a Right to Information (RTI) application on 23/01/2019 and demanded from Department of Pharmaceuticals (DoP), the nodal agency responsible for curbing such malpractices, names of the companies against whom complaints were filed since 2015 and the action taken against them. **Through reply dated 14/02/2019, DoP revealed names of 20 firms charged with “bribing doctors, medical shopkeepers and unauthorised medical practitioners to sell their pharmaceutical products”.** The complaints were made by Jan Swasthya Abhiyan (JSA) and Punjab Medical Council. DoP said that it had forwarded the complaints to the Ministry of Health and Family Welfare (MoHFW), the Medical Council of India (MCI) and a pharma association. It did not name the pharma association. It also remained quiet on what action MoHFW or MCI had taken.

The government in 2016 had indicated that it would make the code statutory. But it took a U-turn and admitted in 2019 that it has no intention of making the UCPMP mandatory.

The Print reported on 13/01/2020 that on 23/12/2019, **DoP secretary P.D. Vaghela conducted a review meeting with three drug-maker associations — the Indian Drug Manufacturers’ Association (IDMA), the Indian Pharmaceutical Alliance (IPA) and the Organisation of Pharmaceutical Producers of India (OPPI) and pulled them up for not complying with the UCPMP.**

It also reported that Government sources said “**PM Modi met senior officials from top drug-makers, including Zydus Cadila, Torrent Pharmaceuticals and Wockhardt, in New Delhi on 02/01/2020 and the PM told drug-makers that their non-compliance with marketing practices is pushing the government to create a strict law. He has warned about bringing in a**

**statutory provision, and indicated that the ministry (of chemicals and fertilisers) has been asked to start working on it.”**

On 08/01/2020, the Madras High Court asked when a separate union ministry for pharma would be created and when a UCPMP would be brought into force to control unethical marketing practices by pharmaceutical companies.

**Business Line reported on 06/02/2020 that in an official communication issued on 04/02/2020, the Department of Pharmaceuticals (DoP) sent out a warning to the Indian Drug Manufacturers’ Association (IDMA), the Bulk Drug Manufacturers’ Association (BDMA), the Indian Pharmaceutical Alliance (IPA), the Organisation of Pharmaceutical Producers of India (OPPI) and the Federation of Pharma Entrepreneurs that “The department has received a grievance alleging that pharma companies arrange hotels, accommodations in five star hotels, local sightseeing and so on in conferences conducted by doctors.”**

**Global Position of Pharmaceutical Marketing Ethics Code:** India has not made pharmaceutical marketing ethics a law when other jurisdictions have very elaborated laws and guidelines. USA, European Union, Japan, Australia etc. have strict penalty provision for violation of the Pharma Marketing Practices Code.

**The Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations of 2002** prescribe a code of conduct for doctors in their relationship with pharmaceutical and allied health sector industry, and prohibit accepting gifts and entertainment, travel facilities, hospitality, cash or monetary grants by medical practitioners from pharmaceutical companies.

**The Supreme Court on 11/03/2022 issued a notice to the Centre on a PIL by FMRAI seeking a direction to the Centre for formulating a uniform code to curb unethical practices by pharma companies and ensure an effective monitoring mechanism, transparency, accountability as well as consequences of violations.** A Bench led by Justice DY Chandrachud, which decided to examine the PIL seeking a UCPMP, asked the Centre to respond to the PIL in six weeks. The government is evading to make their submission and delaying the case. In the intervening period in reply to a question in Parliament the minister made statement that no violation is reported by civil society on the issue.

During hearing on 18/08/2022 the government again did not give their submission, at that point of time FMRAI’s lawyer submitted the CDBT report regarding Micro company categorically stating that it is the observation of a government agency as published in the media and not our statement. **He also submitted the statement of the minister in the parliament to expose the contradictory role of the Central Government.** On one hand stating that the issue is in the Supreme Court and on the other not submitting their reply to our petition in the court and cause delay. Surprisingly the media is making their own stories and putting it as our statement. Some of these media are also trying to tarnish the image of the doctor fraternity without exposing the root cause of such unethical practices. To save the culprit pharmaceutical companies, some media houses are trying to make it brand vs generic issue.

**FMRAI’s submission is that the government must frame laws to stop unethical marketing practices, and reduce prices of essential medicines by DPCO which will benefit the people.**