

Deconstructing New Labour Codes: Implications on the News Media Workforce

Jaishri Jethwaney

Working Paper

234

January 2021

ISID

Institute for Studies in Industrial Development
New Delhi

Deconstructing New Labour Codes: Implications on the News Media Workforce

Jaishri Jethwaney

ISID

Institute for Studies in Industrial Development

4, Institutional Area, Vasant Kunj Phase II, New Delhi - 110 070

Phone: +91 11 2676 4600 / 2689 1111; *Fax:* +91 11 2612 2448

E-mail: info@isid.org.in; *Website:* <http://isid.org.in>

January 2021

ISID Working Papers are meant to disseminate the tentative results and findings obtained from the ongoing research activities at the Institute and to attract comments and suggestions which may kindly be addressed to the author at jjethwaney@isid.edu.in.

CONTENTS

<i>Abstract</i>	1
Introduction	1
Journalism a Unique Profession, But does not enjoy any Special Privilege in the Constitution	3
Historicity of Legislation for Working Journalists Evolution of Media Ownership and Government's Perspective	3
Recommendations of the First Press Commission	4
Setting Up of Various Wage Boards	6
Why the Newspaper Barons have problems with Special Legislation and Wage Boards for Journalists?	6
Arguments against Special Wage Boards for Journalists	6
Whose Responsibility is it to Extend Welfare Measures to Journalists?	7
Press Council of India's Guidelines on Undue 'Favours' to Journalists-1998	8
Journalists in National Classification of Occupations (NCO)	10
Journalists' Profiling in the Census of India	11
Where do Stringers Fit in the New Labour Codes?	11
Life of an Average Journalist	12
No Provision of Pension in Labour Codes	12
Why News Media Requires a Nuanced Approach Within the Omnibus Laws?	12
Implications of Subsuming of Working Journalists Acts	13
Areas for Consideration in Amending Codes, Framing Rules and Guidelines	14

List of Annexure

<i>Annexure</i>	Highlights of Deliberations of the National Webinar on Deconstructing New Labour Codes: Implications on the News Media Workforce	17
-----------------	--	----

Deconstructing New Labour Codes Implications on the News Media Workforce

*Jaishri Jethwaney**

[Abstract: *The over seven-decade long struggle of journalists for fair wages and better service conditions came a cropper when the two Acts relating to their wages and working conditions were subsumed in the overarching new Labour Codes. The Parliamentary Standing Committee on Labour after stakeholder consultations has submitted its Report to the government. All major trade unions except the Bharatiya Mazdoor Sangh have rejected all Four Labour Codes and demanded to put all the Labour Codes on hold and discuss afresh on Labour laws; only thereafter on Rules.*

Various professional journalists' associations feel that whatever protection the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (hereinafter the Working Journalists Act) gave them, has been taken away by the merging of both the Acts in the overarching Labour Codes, making them a part of the 50 crore labour force, without any niche. This working paper has enquired into the various provisions of the codes, varying perspectives of professional associations, trade unions, media watch organisations, and working journalists that emerged during the deliberations at the National Webinar held on January 27, 2021 through primary research and secondary data from the public domain. It has also looked, in retrospect, at the setting up of the various wage boards and the reasons of newspaper owners' tirade against implementing the recommendations of wage boards and why a nuanced approach for the media industry is required in the new Labour Codes. The Working paper at the end has articulated the implications of the new Labour Codes on the media workforce and has also made recommendations for a nuanced approach.]

Keywords: *Media, New labour Codes, NCO, Stringers, Working journalists, Wages, Working Conditions, Social security.*

Introduction

India has an enviable news media eco system when compared with both, the developed and the developing nations. With over one Lakh print publications, of which 17,000 are

* Prof. Jaishri Jethwaney, Senior ICSSR Research Fellow, ISID, is currently working on Wages and Related Issues in the News Media Industry.

Acknowledgment: The author acknowledges the support and scholarship of Prof. Ambrish Saxena and his team from Delhi Metropolitan Education (DME) in collaborating with ISID on the National Webinar on Deconstruction of Labour Codes for the News Media Workforce, held on January 27, 2021.

mainstream newspapers, over 400 news channels and many news portals in the digital space, the media scene is both exciting and mindboggling. The lawmakers, early on, after achieving independence in 1947 addressed the issue of independence of the news media, considered the fourth pillar of democracy and the wages and working conditions of journalists and other employees in the news industry.

The setting up of various wage boards for the working journalists and other employees in the newspaper industry, however, has witnessed several litigations by newspaper managements to avoid as far as possible the implementation of the wage boards' recommendations. While the working journalists and other employees continued their struggle for fair wages and working conditions over the years, the NDA government in its first term 1999–2004 set up the Second Labour Commission that recommended the merger of various Central and State Acts relating to labour issues in a few omnibus Labour Codes. Later the NDA government in its first and the current second term from 2014 onwards came with a legislation that has subsumed many laws including the Acts relating to the media industry into the overarching labour law comprising four codes. The draft codes were referred to the Standing Committee of Parliament on labour, viz. the Code on Wages under the Chairpersonship of Mr Kirit Somaiya and Codes on Industrial Relations (IR), Occupational Health and Security (OSH), and Social Security (SS) under the chairpersonship of Mr Bhartuhari Mahtab. After taking the views of the public and the various stakeholders, the reports were submitted with observations and recommendations to the Government. All the four Codes stand passed by the Parliament, the Wage Code in 2019, later the other three, viz. IR, OSH, and SS in 2020 by a Voice Vote, when the Opposition parties had boycotted the Parliament on the passing of the Farm laws in September 2020, without discussing the amendments proposed, as reported by the media.¹

With this, the working journalists become a part of the nearly 50 crore workforce in both the organised and the unorganised sectors, losing any special status that they enjoyed before. The *Financial Express*, commenting on the new Labour Codes, called it 'an uneasy amalgam of laws that cover a wide variety of workers belonging to the organised (factory, dock, mines) and the unorganised (contract, construction workers) sectors ... Codification is necessary to rationalize proximate labour laws, but this should not lead to bundling together of diverse and unique laws concerning disparately positioned categories of workers, which are yet to mature into meaningful pieces of legislation.'²

What it really means in terms of the wage protection and the positioning of journalists in the ecosystem, is still to synch in. There are varying views on whether or not journalists should have been included in the overarching Labour Codes. This Working Paper has enquired into the various provisions of the codes, and the varying perspectives of

¹ Hebbar, Nistula (2020), "Parliament proceedings | Lok Sabha Clears Three Labour Bills," *The Hindu*, September 20.

² K.R. Shyam Sundar (2019), "Occupational Safety Code Need Serious Evaluation" *Financial Express*, September 5.

professional associations, trade unions, media watch organisations, media practitioners, academics among others that emerged at the National Webinar held on 27 January 2021 and through the primary and secondary research. Annexure 1 provide a 'Bird's Eye View' of the deliberations of the National Webinar on *Deconstructing New Labour Codes: Implications on the News Media Workforce*.³

The Working Paper has also looked, into the setting up of the various wage boards and the views of newspaper management on their unwillingness in general, against the implementation of the recommendations of some wage boards. Critics believe that the repealing of the Acts for working journalists and other employees has given a cause to the media owners to celebrate the new codes that are allegedly employer-centric. This gathers significance as most of the trade unions, which had earlier been consulted by the Standing Committee on Labour, have rejected all the four codes in the tripartite meeting organised by the Ministry of Labour and Employment in January 2021. As reported by the Media, they have asked for a clause-by-clause discussion before the Rules are discussed. Most professional associations have been asking for the non-repealing of Working Journalists Acts, an issue that was not even taken up for discussion in the Standing Committee on the premise that both the Acts were already subsumed in the overarching law, so the question of non-repealing was not under their purview.

Journalism a Unique Profession, But does not enjoy any Special Privilege in the Constitution

The Indian constitution does not employ the term "freedom of press" unlike the US Constitution, which expressly mentions 'the liberty of the press,' i.e. the freedom to publish what one pleases without prior permission. Article 19(1) in The Constitution of India 1949 (1) guarantees "All citizens shall have the right to freedom of speech and expression". There is nothing specifically guaranteed to journalists in respect of the right to freedom of speech and expression under article 19(1) of the Indian Constitution. The courts have not altered the position in any of their judgements since the Constitution has come into being. Freedom of speech and expression of the individual and the media do not bestow an absolute right to speak or disseminate anything one wishes to, nor does it provide immunity.⁴

Historicity of Legislation for Working Journalists Evolution of Media Ownership and Government's Perspective

The news media is believed to be under the government scanner, soon after India attained freedom in 1947, especially on the issue of industry's interest in owning media. A few

³ The recording of the National Webinar can be accessed at <https://youtu.be/BNMZrr7frzI> and for the Keynote Session at <https://youtu.be/ZieGVYLU0s> for the Expert-Speak Session.

⁴ K.D. Guar Indian Law Institute. (<https://www.jstor.org/stable/43952367?seq=1>).

businesspersons like Mr. Ramakrishna Dalmia bought *The Times of India* and Mr Ramnath Goenka began expanding his *Indian Express* empire. The Birlas, who had large interests in jute took over *The Hindustan Times*. The Bird and Company with interest in the Jute sector also started buying shares in *The Statesman*. The government saw this development as the formation of a strong lobby for jute, cement, sugar, and steel sectors in the private domain. The press earned the sobriquet of “Jute press,” signifying the connection.⁵ Some analysts believe that the Press came in a collision course with the Nehru government right from the early 1950s. The government worried about the power of the press in moulding public opinion; it got the opportunity to set up the first Press Commission in 1952 when during the first Constitution Amendment Bill 1952, the then Prime Minister Pt. Jawaharlal Nehru gave an assurance to the House to appoint a committee or a commission, including representatives from the press, to examine the state of the press and its content. The issue came under discussion again during the parliamentary debate on the Press (Incitement to Crime) Bill, later named the Press (Objectionable Matter) Act, 1951. Interestingly, the Indian Federation of Working Journalists (IFWJ) also, at its session held in April 1952 at Calcutta, adopted a resolution for the appointment of a commission to enquire into the conditions of the press in India. Ultimately, the Government of India announced the appointment of the press commission on September 23, 1952 under the chairmanship of G.S. Rajadhyaksha. The Commission completed its enquiry and submitted its report on July 14, 1954.⁶ The recommendation for the appointment of a Wage Board for working journalists came from the First Press Commission. The Commission also recommended the appointment of a Registrar of Newspapers for India (RNI).⁷ Box 1 provides a quick glimpse of the recommendations of the First Press Commission.

Recommendations of the First Press Commission

1. To safeguard the freedom of the press and help the press to maintain its independence.
2. To censure objectionable types of journalistic conduct and by all other possible means to build up a code in accordance with the highest professional standards.
3. To keep under review any development likely to restrict the supply and dissemination of news of public interest and importance.
4. To encourage the growth of a sense of responsibility and public service among those engaged in the profession of journalism.
5. To study the developments in the press which may tend towards concentration or monopoly and if necessary, to suggest remedies.

⁵ <http://indiatoday.intoday.in/story/press-commission-blasts-newspaper-barons/1/391611.html>; accessed on 2.7.20

⁶ <http://ili.ac.in/pdf/paper7.pdf>

⁷ Anshuman Mishra (2016), “Protection of the Interests of the Employees of Media Industry and Freedom of Speech and Expression,” *ILI Law Review*, Indian Law Institute, pp. 113–129. Available at <https://www.scribd.com/doc/146545516/First-Press-Commission>; accessed on 2.7.20.

6. To publish reports at least once a year, recording its work and reviewing the performance of the press, its developments and factors affecting them.
7. To improve methods of recruitment, education and training for the profession by the creation of suitable agencies for the purpose such as Press Institutes.
8. The news agencies should not merely keep themselves from bias and follow strictly the principles of integrity, objectivity and comprehensiveness in its coverage of news, but it should also appear to the public that the news agencies are maintaining such a course.

Later, the Second Press Commission under the Chairpersonship of Justice K.K. Mathews was set up after over a quarter of century in 1978, by the Janata Government, after the Congress party lost the election in 1977, post the promulgation of Emergency by Prime Minister Mrs. Indira Gandhi in 1975. The Commission's report was submitted in 1982, when the Congress was back in power. The members did not reach a consensus on several issues, with four important members submitting a long note of dissent.

The Second Press Commission gave some important recommendations. One of its recommendation was putting statutory limits on "interests" (shareholding included) of persons with other businesses to 10 per cent in a newspaper company.

The Commission also recommended the setting up of a Press Council, with a view to safeguard the freedom of the press, "to ensure on the part of the Press, the maintenance of high standards of public taste and to foster due sense of both the rights and responsibilities of citizenship" and "to encourage the growth of sense of responsibility and public service among all those engaged in the profession of journalism."⁸ The Press Council of India (PCI) came into existence in July 1966 as an autonomous, statutory, quasi-judicial body with the broad objective of helping newspapers to maintain their independence. The constitution of the PCI as per the Act of 1965 was to be of 25 members, three from the two houses of parliament, 25 from among working journalists, of which six were to be editors. By an amendment of the Act in 1970, the number of members was raised by one to accommodate representation from the news agencies.⁹

As we see, there was a background and a definite thought behind the need of safeguarding the independence of news media and ensuring decent wages and working conditions for those employed in the newspaper industry. A concerted effort went into the passing of the two Acts for the working journalists, viz. *The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act of 1955*, and the *Working Journalist (Fixation of Rates of Wages) Act, 1958*. It is a different matter that newspaper owners in general have questioned the passing of such Acts and the setting up of statutory wage boards for journalists, right from the beginning.

⁸ <http://presscouncil.nic.in/OldWebsite/history.htm>; accessed on 7.7 .20.

⁹ *Ibid.*

Setting Up of Various Wage Boards

The Central government in the 1950s and 60s created wage boards for some sectors, that in its wisdom was due to “unionisation or with trade unions without adequate bargaining power,” therefore the government in realisation of the problems which arose in the arena of wage fixation constituted various wage boards. The wage boards were tripartite in character with representatives of workers, employers and independent members who participated and finalised the recommendations. Except for the wage boards for journalists and other employees in newspapers and news agency, which were statutory in nature, all other wage boards have been non-statutory in nature, meaning thereby that recommendations made by these Wage Boards were not enforceable under the law.¹⁰ All these wage boards were discontinued over a period, with the last one in 1986 for the Sugar sector, except for the media sector that has had six wage boards until recently.

Why the Newspaper Barons have problems with Special Legislation and Wage Boards for Journalists?

Some of the arguments proffered by the newspaper owners and others supporting their perspective from time to time, especially the Indian Newspaper Society (INS) against the wage boards can be articulated as under:

Arguments against Special Wage Boards for Journalists

- The Setting up of wage boards and the acts relating to working journalists is seen as a direct interference in the independent working on the news media industry.
- The government wishes to appease the journalists to have them on their side.
- The government has singled out the news media industry for a statutory wage board. If the setting up of wage boards is so important, then why not for other sectors?
- It is far from the truth that news media is a bad paymaster. Journalists in general get paid decently. The CTC of an average journalist is more than what the wage boards have suggested.
- As is true for any other industry, the functioning and revenue generation of the news media industry is also dictated by the market forces. The newsprint costs, and supply chain expenditure are only escalating, on which the management has no control.
- The Wage Code could have recommended the minimum threshold salary for journalists and left the pay hike, which factors in many things, to the employer

¹⁰ <https://labour.gov.in/sites/default/files/Wage%20Board%20for%20Working%20Journalists.pdf>

- A s six-hour duty is stipulated on the one hand, while guaranteeing timely promotions and salary hike on the other, which an average news establishment can ill-afford.
- By forcing media houses to pay what they cannot afford, the move may drive them to the malady of “paid news.”¹¹

Whose Responsibility is it to Extend Welfare Measures to Journalists?

It is rather surprising that media that has corporatized over a period of time has not in a true sense brought in employee-centric initiatives in the media houses as one would have expected. Big business conglomerates own most of the media houses, but they have not treated the employees in their news media outlets as they would treat the employees in their other business interests. Except for a miniscule number of media houses, there is no system of social security measures, except those prescribed by law such as the provident fund deduction and gratuity. If this is one reality, there is another reality of extension of welfare measures to journalists by both the central and many state governments. It is very typical of India as a country that extends welfare measures to journalists, especially those with accreditation. The measures give them access to government accommodation, albeit to a small number of reporters, concessional travel, medical benefits, one-time ex-gratia in case of distress, and in some cases pensionary benefits, as reflected in the various schemes both at the Centre and in various states in operation, for a long time. Many have questioned this practice. Media proprietors who should be taking care of the social security of their employees have never expressed their concern, but when it comes to wage boards, they have not only run wilful and maleficent campaigns against the government, alleging vested interest but also have gone for litigation against the wage board recommendations.

The Press Council of India has raised this issue in the interest of the independence of media, but has not been persuasive enough to take it to a logical end. It has been seen that once extended, it is difficult to withdraw these measures. For instance, the extension of accommodation facility to journalists began early on, when India became independent during the tenure of Sardar Patel as Home minister. Realising that journalists who came to Delhi from outside could ill-afford to rent accommodation due to poor pay package, he extended this facility as an ad-hoc measure, but it has been so established, that there are cases in the courts by some employees for not getting it or against others who may have got it out of turn. There are also allegations that only a select few get these facilities owing to their proximity to the authorities. The Information and Broadcasting Ministry officers, both erstwhile and current, believe that utmost transparency is maintained in the allocation of facilities as the committee that decides on the extension of facilities has more representation from the media than from the government.

¹¹ <https://indianjournalismreview.com/2011/06/18/9-reasons-why-wage-board-is-bad-for-journalism/>

Press Council of India's Guidelines on Undue 'Favours' to Journalists-1998

1. **Accommodation of Houses/Flats/Land:** The Government is not obliged to provide accommodation to the journalists as it is the responsibility of the newspaper establishment to provide accommodation to their employees. Whenever such a facility is provided to the journalists by the authorities it should be gradually phased out. Land allotments at concessional rates to the newspaper establishment /individuals for the purpose of installing printing presses should not be a source of undue/illegal enrichment of the allottees. Therefore, the proposal of allotment of land to newspaper establishment/individuals should be scrutinised by the authorities very carefully. No land should be allotted to newspaper establishments/individuals at concessional rates if the land is proposed to be put to commercial use as well along with its use for press purpose by the allottees.
2. **Allotment of Shares in Companies:** The shares allotted at a special price or given under any quota is a favour.
3. **Bus Travel/Rail Travel/Transport:** This is a favour so far as big and medium newspapers are concerned. Further, the journalists attached to the newspapers which are in profit have no justification for availing free bus/rail/transport facility. Such costs must be borne by the concerned newspaper. However, in the case of small newspaper this may constitute a facility.
4. **Foreign Travel:** Extending the facility of air travel by companies, corporations, and airlines is an inducement to write favourably about their products and services. As regards official foreign tours undertaken by the President, the Vice President, the Prime Minister and the External Affairs Minister or any other Minister, only eligible journalist should be nominated for coverage once the newspaper has been selected on the basis of the criteria laid down. The management personnel of the newspapers should not be selected/ nominated for coverage of such tours.
5. **Free Air Tickets by Domestic Travel Airlines and Others:** It induces journalists to write favourable reports to commercially promote the airlines and the commercial enterprise offering such tickets and should not be accepted by the journalists.
6. **Cash Disbursement from Chief Minister's Discretionary Fund:** Disbursement of money from the Discretionary Fund of the Chief Minister other than by way of relief to the indignant and helpless journalists encourage unfaithfulness to the mission of journalism and promotes corrupt practices. This could be discouraged by the Chief Ministers.
7. **Cash Disbursement Financial Assistance:** The financial assistance, even if given for medical treatment, constitute a favour, unless, medical aid is given under a clear-cut policy uniformly applicable to the destitute or sick persons who cannot afford the medical treatment, and the journalists happens to be one of such beneficiaries. Extending CGHS facility to journalists is illogical since this facility

to its employees is the responsibility of the newspaper establishments and should be provided by the authorities.

- 8-9. Funds for Media Centres and Grants to Journalists Associations:** It is a favour and should be discontinued, unless it is given for promoting the journalistic skills.
- 10. Gift Cheques:** Gift cheques including those given by the advertisement agencies for publication of material relating to their clients or otherwise is a favour and deserve outright condemnation. The journalists should not accept them.
- 11. Gifts:** Gifts in any form, irrespective of their value, are to be condemned.
- 12. Free Parking:** Free parking is a favour, if journalists use this facility for the purpose other than professional work.
- 13. Guest Hospitality:** The working journalists, as a rule should not be treated as State Guests. However, when Press teams are invited to a place to discharge their professional duties, making due arrangements for them would be an exception. The stay in government guest houses by accredited journalists, is permissible if it is for discharging professional duties.
- 14. Import of Duty-Free Cameras and Computers:** It is the duty of the newspaper establishment to provide cameras/computers to its personnel. Allowing duty free cameras and computers to a particular class of persons by the government is a favour. However, this facility may be extended to the accredited freelance journalists, small newspapers, provided it is not misused.
- 15. Insurance Premium:** It is not for the governments to pay premium of the insurance of the journalists. The newspaper establishments or the individual concerned should make the payment of the same.
- 16. Jobs to Relatives:** Giving jobs to a journalist's relatives, for considerations, and other than on merits is an outright attempt to induce and should be curbed.
- 17. Loans:** The grant of loans within the ambit of a policy already laid down for all citizens is permissible. But when the loan is given only to journalists or at reduced rates of interests or when the interest due or the principal amount is waived/written off/condoned, such a practice amounts to undue favour and should be stopped.
- 18. Nomination on Committees:** In some states the journalists are nominated on some organisations and institutions like Public Service Commission and are also given the status of State Minister or Cabinet Minister, which is a wrong practice. Except for nomination by professional organisations on Committees, which have a quota to represent the various professions, this practice constitutes a favour and should be stopped.
- 19. PCO/Fax/Phone Booth or Centre:** Allotting PCO/Fax/Phone booth or centre to a journalist is a favour. This practice should be stopped.
- 20. Pensionary Benefits:** Since the media is not part of the government, the benefit given only to media persons constitutes a favour when extended by the government.

21. **Press Clubs-Donation of Funds:** This practice is prevalent all over the country and funds are being donated lavishly by Chief Ministers/Ministers, political leaders, companies and corporations not only to genuine Press Clubs but also to the Press Clubs of dubious nature. In the latter case it constitutes an attempt to induce the journalists to give favourable reports about the donors. This should be stopped.
22. **Prizes:** The practice of giving spurious awards has to be curbed. There are instances of sale of awards and prizes by the racketeers making money out of it. Not only the racketeers but the awardees often contribute towards the value of the prize.
23. **Shops:** Allotment of shops to persons for reasons of their position as journalist is a clear cut favour and should be stopped forthwith.
24. **Facilities:** The grant of accreditation cards, government and public authority advertisements according to rules, facility during election meeting, expenses for journalistic conventions, seminars, etc., providing press rooms, inviting press parties, giving publication material, providing for training of journalists do not constitute favours. They are essential facilities offered to journalists for the discharge of their professional duties.

(pp. 80–84) PCI Guidelines

Source: Norms of Journalistic Conduct, 2010.PDF (presscouncil.nic.in)

These welfare measures do not necessarily accrue to all the journalists, but generally to those who are accredited. It is also sometimes an exercise of choice on the part of concerned ministers about who they would like to favour, making it an act of personal aggrandizement.

There is no such information from any country on this aspect in the public domain, not even from the neighbouring Pakistan and Bangladesh who share a common history. However, in developing countries, especially in this part of the world, government advertisements define in an oblique way the government's relationship with the news media. Small newspapers see it as a largesse, a government benevolence and are often afraid that if they do not write favourably on the government, the ads could be withdrawn. In the past one has seen withdrawal of ad support to large newspapers also for reasons not unknown. There is enough empirical data to suggest that this malice continues.

Journalists in National Classification of Occupations (NCO)

In Census 2011 (Occupations), we see that Journalists have been clubbed with “Authors and Other Writers” in the classification of occupations. The census reflects a total number of 4216-urban and 3142 rural journalists in the country with the urban male-female numbers at 3922 and 294 respectively and rural male-female numbers at 2981 male and

161female.¹² The figures about the total number of journalists in urban and rural India seem heavily underestimated when we look at the bandwidth of news media in India. Even if we assume that the numbers are only for the print media, they do not seem to match up. As per the Registrar of Newspapers' figures, there are over one lakh print publications, out of which 17,000 are mainstream newspapers, many with multiple editions. Therefore, even if we take only mainstream newspapers, the total number of journalists cannot be just 7358, which is less than 0.5 journalist per newspaper. This, however, can also mean that this number might reflect the number of permanent journalists, the rest would be contractual employees and stringers, who have not been accounted for in the Census.

Journalists' Profiling in the Census of India

When we look at the classification of journalists in NCO – Volume I 2015, the occupation of journalism has been clubbed in Group 64 – “Authors, Journalists, Linguists.” In the sub-classification within “Journalists,” following sub-categories emerge:

News reporters, columnists, freelance journalists, commentary writers and Radio Commentators.¹³ There is no specific mention of “stringers,” which is a term used specifically for journalists who are attached to one or more media outlets and get paid according to the stories accepted by the media for publishing or broadcast/telecast. Are freelancers and stringers synonymous in the news media vocabulary? “Freelancer” is a term used in general for anyone who is not attached to any organisation *per se* but works independently.

As said earlier, although official figures are not available on the total number of people engaged in the news media industry, but of the lakhs of journalists who work in the print, electronic and digital media, a staggering majority would be stringers who do not really form a part of the employer-employee relationship. As it emerged in the National Webinar, the stringers are not only not on the registers of most media houses, many ask them to give in writing that they pursue journalism as a “Hobby,” earning the sobriquet of being “Hobby Journalist.”

Where do Stringers Fit in the New Labour Codes?

There is a reference on freelancers and Gig workers, in the new Labour Codes, but not about stringers. Therefore, it is not clear at all, where do stringers fit in the new Labour Codes?

On the bottom of the pyramid in the media eco system, the expression “Stringer” is probably as old as the profession of journalism. A stringer is someone who is not on the regular news media staff, but a kind of retainer who works part time to cover events at a

¹² https://censusindia.gov.in/Tables_Published/B-Series/B-Series_Link/DDW-B25SC-0000.pdf; pp. 14–15.

¹³ *Ibid.*, p. 5.

particular place and paid by seconds for the broadcast media and by words or the length of the story, that is accepted for broadcast and publishing. There is no set standard for such a payment, but varies from one media house to another. There is no database on the stringers in the public domain on their total number, despite the fact that they form the backbone of the news media ecosystem. Poorly paid, exploited with no road map for a brighter future, the stringers have never been on the wish list of the policymakers.

Life of an Average Journalist

Barring a handful of celebrity journalists who get paid as much as corporate honchos do, an average journalist's life is precarious and full of struggle. The situation only gets worse in small and medium newspapers, where they may not even be reflected on the employment rolls of the publications. In most cases, they are not given a formal "Appointment letter." Stringers who work for the media houses are poorly paid, harassed, and without any insurance cover when they bear the maximum brunt of brutal attacks on themselves, should they write against the powerful and the mighty. There is no social security for them and they often have to wait for the paltry amount, for months together for the stories filed by them. There are neither any Stinger associations nor are they a part of any trade union. The occupation is not even recognised in the NCO when most media houses depend on their services, especially for rooting stories from small towns and the rural hinterland.

No Provision of Pension in Labour Codes

With most jobs becoming ad-hoc and contractual, the new Labour Codes do not talk about 'permanent' jobs. There seemingly is no mention of "Pension" in the Code on Wages or Code on Social Security. There is no gainsaying the fact that once these Codes are implemented, the stress levels among employees in the news media sector, like in any other sector, would only escalate. Therefore, it is incumbent upon the government to carefully articulate the wages, occupational safety and social security measures in its rules and guidelines in a manner that the employer does not get away in doing nothing as in the past despite the statutory nature of wage board recommendations.

Why News Media Requires a Nuanced Approach Within the Omnibus Laws?

Working journalists *per se* and most journalists association in general have vehemently criticised the repealing of the two Working Journalists Acts on wages and service conditions as also brought in by the Chairman of the Standing Committee in his National Webinar Keynote address. News media is often reckoned as the Fourth Estate in a democracy and perceived as empowered as the other three: the Executive, the Legislature, and the Judiciary. News media in its watchdog function is expected to be an independent raconteur and interpreter of news of the socio-economic and political happenings in a

given society. The perceived power of media is such that the most powerful and mighty expect it to be on their side, expecting the news media to be writing only positive information about them, which does not always happen, despite a huge polarisation in the media. The less scrutinised fact about the news media industry is the state of working journalists, especially their wages and social security measure, where the media industry as a whole has failed miserably.

The almost 70 years of protracted struggle by the members of the Fourth Estate seems still far from over. The media scene in the meanwhile has taken a 180-degree turn. Some of the rich mainstream newspaper conglomerates have made structural changes to ensure that the employees do not have any legal redressal measures. Many publications or editions have closed down, permanent jobs have turned in to contractual and newer jobs come with strange designations like “Fellowship,” as if the media industry has turned into an academia where one employs research fellows! The Covid- 19 situation in 2020-21 has seen many journalists losing jobs or made to work with salary cuts. The Government announced packages for many sectors, but not for the media industry. This has led to existential crisis for small and medium newspapers.

Implications of Subsuming of Working Journalists Acts

The Standing Committee on Labour did not recommend in their report the demand of the various journalists’ associations and senior journalists on the non-repealing of both the Acts relating to working journalists. The argument proffered was that both the Acts were already subsumed in the concerned labour code and assurance was given by the Labour Ministry on creating a wage board for the media persons. All the central trade unions, barring one, and independent national federations have rejected all the four codes. In a tripartite meeting on the Rules of Labour Codes, held in January, 2021, they have demanded to put all the Labour Codes on hold and discuss afresh on labour laws; only thereafter the Rules could be discussed.

Whatever little protection the Working Journalists’ Acts provided to the news media workforce, has been taken away by the overarching homogenised Codes covering about 50 crore workforce. The four codes, if implemented shall broadly have the following implications for the news media workforce:

- Permanent jobs becoming an impossibility. These will be replaced by contractual and piece-rated workers.
- Unbridled power with the employer to hire and fire.
- Cutting down to size, the role and relevance of trade unions and their collective bargaining power. Forming unions in the existing and new media establishments will become nearly impossible. Currently unions exist only in legacy media.
- Contractual employees shall have no right to trade union activities.
- The codes only pay a lip-service to gender equality and do not confer any protection to women workers in terms of wage discrimination, promotions,

transfers, vocational training and their special needs relating to maternity leave, sensitive gender rules, harassment at work place etc. and allowing night shift for the women workers in the Code.

- The codes are employer-centric.
- The judicial process in India in general is long drawn, therefore in case of litigations, it may take decades for litigants to get or not to get justice.
- There is no guarantee that media barons would extend social security and follow other provisions, when in the past they have disregarded not only various Wage Boards' recommendations that had statutory status, but also the highest court's intervention on the Sixth Wage board recommendations.
- The media houses in general may close down non-profit making publications and also for other strategic considerations, rendering the workforce idle.
- The subsuming of the Acts relating to Working Journalists in the overarching Labour Codes has witnessed mixed responses, but one has not seen any reaction from the media owners at least in the public domain. The media industry has maintained its stony silence, making critics believe that they in collusion with the government have been successful in repealing the special legislation for working journalists and other employees in the news media industry.

Areas for Consideration in Amending Codes, Framing Rules and Guidelines

1. In the definition of "Working Journalist," electronic and digital media journalists have not been included in the Labour Codes. In the definition of employees in I. R. Code a clear inclusion needs to be made for "working journalists" employed in various media platforms including print, broadcast and digital.
2. As most newspapers / media employ less than 300 employees, the threshold may be maintained at 100 for seeking permission of authorities for closure, layoffs, etc in the I. R. Code.
3. The complete doing away of permanent jobs as one can assume from the study of the new Labour Codes need to be addressed by the Government. Such a situation would lead to work related stress among newspaper employees on the one hand and intimidation and high-handedness from the employer, on the other.
4. The Standing Committee rightly observed that organisations with less than 10 employees have been kept out of the ambit of the codes. This would adversely affect journalists working in small newspapers, published from small towns and in the Digital Media outlets that often are low-staffed. Therefore, it is recommended that exception may be considered for the media workforce by including them in the "organised sector."
5. As a media establishment is not like a factory, which may have all the employees at one place, the employees in a media establishment may be scattered at more than one place and in virtual space. Therefore, the definition for a media establishment needs to be specifically articulated keeping in view the reality, in

the interest of employees, notwithstanding the spread and definition of location of the media establishment.

6. In the National Classification of Occupations (NSO), a specific category of Journalism needs to be inserted, instead of clubbing them with “Authors and Linguists.”
7. In the next NSO, all categories and sub-categories of classifications within an average media house — print, electronic and digital — need to be entered, with job requirements of each category of employees including for the freelance journalist and stringer, clearly defined.
8. The Code on Wages must clearly mention about the methodology of fixation of Minimum Wage as per 1957 ILC recommendations, upheld and adding sixth criteria by the 1992 judgment of the Constitutional Bench of the Supreme Court; should also include on the time taken, use of equipment, and risk quotient in accessing their stories for the Working Journalists. The Code of Wages needs to include Working Journalists within the definition of “Employee.”
9. On Gender equity, the Code promises ‘no discrimination among employees on the ground of gender in matters relating to wages by the same employer, in respect of the same work or work of similar nature done by any employee’ (p. 32). It is, however, silent on promotion and vocational training of women employees. The Codes are silent on the special needs of women workers, including the setting up of Internal Complaints Committee against sexual harassment at workplace or gender-based violence. Specific provision for establishing an internal complaints committee based on the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 needs to be incorporated in the Rules with penal provisions in case of violation. Protection of women against gender-based violence also needs to be explained in the Rules.
10. There is a need to implement the Maternity Benefit (Amendment) Act, 2017 as this is when many women journalists lose their jobs.
11. Stringers working for media houses need to be included in the definition of part-time/commissioned journalist by specifically entering the term “Stringer” in the definition of “Working Journalist.”
12. As the stringers get paid by the length of the story by column-cum-centimetre or words or seconds—piecemeal work, a formula for remunerating the stringers keeping in view the size of the media establishment in terms of revenue, editions, reach and circulation is recommended. The time spent, travel cost, risk on person and equipment need to be accounted for while working out the rate for each story, notwithstanding the size of the story. Similarly, rates for freelance contributions need to be similarly, worked out.
13. Stringers who continually work for a media house unlike a freelance journalist must be covered for social security measures such as provident fund, medical insurance cover for person and insurance for equipment by the media organisation and provision for “separation allowance,” if his/her service is dispensed with.

14. Stringers often pay large amount of “Security” for “Mic ID” to the employer, a practice that must be dispensed with.
15. An empowered wage board/commission/department/authority, by whatever name it may be called is recommended to be instituted to look into the wages and service conditions of journalists on a continuous basis as a part of the Ministry of Labour & Employment. This could also be empowered to receive complaints on non-implementation of Labour Codes from the news media employees.
16. It may be considered to re-designate the Press Council of India as the “News Media Council of India” with an overarching role for all the media platforms including print, electronic, and digital, including representation from all platforms in the proposed Council.
17. The proposed rechristened News Media Council of India need to be given penal powers to be more relevant and useful.

In conclusion, it can be said that journalists who work in a unique and highly-skilled profession that has the watchdog responsibility, have for long contributed immensely in the shaping of public opinion and making India into a robust democracy, but they have not received a good deal from their employers. An average journalist is poorly paid, who risks his/her life in the line of his duty with no social security to bank upon. At the same time, journalists in general also earn the ire of the authorities, if their writings make the powerful uncomfortable as many empirical studies and criminal charges against many unambiguously suggest. There is some truism in the statement that the extent of democracy in a society is gauged from the extent of freedom of speech and expression it gives to its news media. Therefore, it is important that journalists who contribute immensely in making an average person make a sense of the world around him/her through the media stimuli, are also taken care of from their distraught wages and working conditions. Now that the special legislation for the working journalists and other employees in the news media has been subsumed in the overarching Labour Codes, the recommendations for a nuanced approach for this special category of workers hopefully would be taken care of, while finalising the Rules and Guidelines of the four codes in relation to the news media industry.

Annexure

Highlights of Deliberations of the National Webinar on Deconstructing New Labour Codes: Implications on the News Media Workforce

Keynote Session- Bird's Eye View

Mr Bhartuhari Mahtab, Member of Parliament and Chairman of Parliamentary Sub-Committee on Labour

The Chairman of the Parliamentary Sub-Committee on Labour for three codes, viz. IR, OSH and SS, in his keynote address said that the Code on Wages to the Parliamentary Sub-committee should have come after the other codes, especially on Social Security and Occupational Health and Safety. In the current case, the Code on Wages was passed by the Parliament in 2019 after which the other three codes were referred to the Standing Committee. Once a law has been passed on Wages, there was little, he said, one could do to negotiate, especially in the arena of social security.

The Committee besides meeting all major trade unions also interacted with academics working in the domain of labour laws and issues on women employment.

He shared that the government told him that 76 per cent recommendations were included in the final Bill that was passed by the parliament, but which 24 per cent were left out, he said, the academics may like to find out. He shared that he did not find a number of recommendations made in the Report for the labour force and employers have not been taken into account. The government, he said, worked on its own wisdom, so there was nothing that the sub-committees could possibly do beyond submitting the report.

Trade unions in general, he shared, were against the implementation of these codes. Similarly, many associations of working journalists which submitted their views and other senior and retired journalists were also against the non-repealing of the Working Journalists' Acts, knowing fully well that if once subsumed, this could not have been taken for further discussions. What, he said, is important is that for journalists an exclusive wage board will be established; an assurance, he said, was given by the government to the Committee that there would be a code of wages for journalists in the Rules.

Coming specifically on the working journalists' issues, he shared five points:

1. The demand from the journalists associations and senior working and retired journalists was against the subsuming of the Workings Journalists Acts into the overarching codes.
2. An assurance for continuation of Wage board for working journalists.
3. To include Electronic and Digital media workers in the definition of "working journalists."
4. Gratuity which would accrue after five years has been brought down to three years. Gratuity can also be given after one year, as recommended by the Committee.
5. In case of termination of job, the employer would have to pay three months' salary.

Working journalists work for long hours, especially those in the field; therefore, this was also factored in the recommendations, informed the Chairman of Standing Committee. However, the real punch, he said, lay in how the rules were ultimately framed and implemented – an area where a parliamentary committee has no role to play.

He said that he has requested the government to let him be part of the discussion process till the rules and guidelines are being discussed and finalised until March-end, when the law would come into effect from April 1, 2021. Had the code been discussed in both the houses, a lot of confusion, he said, would have cleared but it did not happen.

Comrade J.S. Majumdar, National Vice President of the Centre of Indian Trade Unions (CITU)

Going into the historical perspective on the protection of journalists' wages and service conditions, Mr Majumdar shared how the first constitutional amendment in 1951 took up this issue. The First Press Commission submitted its Report in 1954. The Press Commission came to the conclusion that the Industrial Disputes Act, 1947 cannot be implemented for journalists, which is why they recommended a special act for the working journalists.

The parliament, during discussion on this, asked who would decide the minimum wages for journalists. So, it was the parliament that decided on the setting up a wage board for journalists; an important decision that, he emphasised, is a part of parliamentary debate.

He also shared that the first professional association that took the issue was the Indian Federation of Journalists that demanded the setting up of a Press Commission, which was heeded by the government. The Standing Committee, he shared, did not take up the demand of newspaper associations for non-repealing of the Working Journalists Act.

The code on wages repeals not only the Working Journalist Act on wages, but also the Act on their Service conditions. On the question of non-repeal of the special legislation, many journalists discussed it with the Standing Committee, but the issue was not taken up by the Committee in its recommendations.

It is strange, he said, that after subsuming the Working Journalists Acts, in the Industrial Relations (IR) code there is still a reference to the same Act, which is rather strange. They accept that journalists are a special category but are still taken along with others. When the Act is repealed, how, then, can it be referred to in the Code, he questioned. In his view, this issue would get into litigation.

The Code on Wages has two definitions; there are workers and employees in all categories, but as far as working journalists are concerned, they have been reflected as workers but not as employees. The wage code is applicable only to employees and not to workers. So, how then would this impact the working journalists, he said, was not clear. The working journalists, in Mr Majumdar's view, have been deprived of everything.

As regards journalists from the electronic media, they do not find mention in any definition, he shared. Therefore, it is important that legal minds read the codes threadbare.

Ten trade unions have rejected all the codes except the RSS affiliated Bharatiya Mazdoor Sangh, he said. All other trade unions demanded that all codes be scrapped, but it was not heeded. So, 'we are in for a long struggle,' he said.

Prof. K.G. Suresh, Vice Chancellor, Makhnallal Chaturvedi University of Journalism and Mass Communication, Bhopal

Besides being a working journalist, he said, he has also been a trade unionist at the Press Trust of India (PTI).

In a representation he said he had asked the labour secretary, how one could equate a dock worker, a bidi worker with a journalist. The job of a journalist is such he said that they also have a constitutional responsibility.

Restricting workers to protest and retrench at the will of the employer, the new provisions in the codes were undemocratic, in his view. In retrospect he said, when the newspapers in general started the contract system, he rather left the industry than work on a contract. This system, he said, shattered trade unions, weakening them to the extent that they hardly have any impact. Most journalists in the unions, he shared, now were either retired or non-working journalists. Contract journalists who are aplenty cannot join any trade union.

The government, he said, has used tokenism and an offhand approach in dealing with the issue. As a Vice Chancellor who has a responsibility for a large number of students, what could he tell them about job security in the news media sector or what freedom would they have to work, but at the whims and fancies of their employers in the current scenario.

He flagged some important points on the concerns of working journalists that include contract employment, retrenchment, gratuity, pension, and no regular working hours. The nature of job in media was such that an average journalist put in long working hours, which was fine, but was there any compensation or insurance or medical facility, he asked. Not really, except some state governments and the central government extending CGHS facility to accredited journalists. The wages for an average journalist were precarious. He reminisced how he refused to entertain those media houses that offered a paltry threshold salary of Rs. 12,000/- when he was the Director General at the Indian Institute of Mass Communication. Covid, he rued, had become an excuse for corporate media houses who were minting money, but they still found an excuse to fire hundreds of journalists and offered no social security.

On the new codes, he said that one can appreciate consolidated laws, but the specific conditions, nuances, and distinctions in various occupations need to be kept in view while framing the guidelines and rules. There should be a provision of penalty for non-compliance of rules. He suggested the setting up of a Media Commission that would lay down a legal framework to ensure that the 'Damocles' sword' was not hanging on a journalist's head.

Prof. M.R. Murty, Officiating Director, ISID

Prof. Murty, sharing the role of the ISID, said that for long the Institute has been working on various macroeconomic issues that have policy dimensions. Recently the Institute has diversified its research agenda covering media studies also. ISID, he shared, did a major study for the Second Press Commission of India on the ownership and control structures of the Indian Press way back in the late 1970s. The Commission, he said, considered the study of much value and the entire report was printed as an Annexure to the Commission's Report.

Trade unions, he said, had weakened over a period; there probably was no forum where their views could be heard. He hoped that issues in the new Labour Codes would be taken during the Webinar and the deliberations would be useful in raising debates and discussions.

Expert-Speaker Session

Prof. Ambrish Saxena, Dean, DME Media School, Delhi Metropolitan Education, Noida

The news media proprietors in general have never welcomed the setting up of wage boards by the government to fix wages since the 1950s. In all, there have been six wage boards. The last Wage Board also known as the Majithia Commission made suggestions on the need for extending social security measures to media persons. Its recommendations were, in general, rejected by majority of the newspaper organisations, despite the intervention of the Supreme Court. While the case was yet to be resolved, the Government of India decided to merge two Acts relating to the Working Journalists – The Working Journalists and other Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 and The Working Journalists (Fixation of Rates of Wages) Act, 1958 – along with over three dozen other labour laws into four overarching Labour Codes. Dr Saxena suggested the inclusion of social security, health insurance, and revision of standards of pension and fair treatment in the Rules.

Ms Stuti Kacker, IAS, Former Secretary, Government of India and Additional Secretary, Ministry of Information & Broadcast, Government of India

The print media industry was established as a voice against the British, who in response enacted the stringent PRB Act 1867, wherein it was mandated that even a piece of written music had to be registered. The Act has not been replaced but some miscellaneous amendments have been made in the past. Therefore, journalistic reporting has been anti-establishment till date. Media is considered the fourth pillar of democracy. The Constitution of India empowers all its citizens the freedom of speech under Article 19, but does not give the press any extra powers or protection.

The State's duty is to ensure that if democracy has to flourish in India, then freedom of expression and fearless reporting is part of the democratic process. The State has to understand this ethos and respect it. To my mind, the State's duty ends here. But, as media is a huge influencer, the State goes further and gives sops to the journalists, in the hope of securing favourable reporting.

That the print media is an industry is something that is well acknowledged and therefore under the IDR Act this Wage Board was created. But unlike the other industrial sectors its production processes are not under one roof. The Ministry of Information and Broadcasting (MIB) prescribes for content regulation, and registration of the newspaper but nothing more.

Further, the industry seems to be heavily dependent on advertisement revenues, hence the importance of the Directorate of Advertising and Visual Publicity (DAVP), and the circulation numbers of the newspapers. This by itself is not a very satisfactory business model as it opens itself to various influences which at times have resulted in the marketing manager becoming more important than the editor. It may also lead to the erosion of the independence of the newspaper, which has solemn duty of reporting of events and news correctly to its readers, especially because to the consumer the written word has more credibility. [Note: Due to internet glitch, Ms Kacker who joined the Webinar, lost connection after sometime. She subsequently sent a mail underlining her views.]

Mr N.K. Singh, Senior journalist, columnist and former General Secretary of Broadcast Editors' Association

One of the key functions of a journalist, he said, was to maintain honesty and present an unbiased view of what was happening in the society. This, in his view, brings the discussion to the Right to freedom of expression, unlike the American constitution wherein no special right is given to journalists and the right applicable to all the citizens is also applicable to them.

Journalism as a profession, he said, did not fall in the tertiary sector. Journalists did not provide services of tangible goods; instead they carried the burden of public law and democracy on their shoulders and hence should not have been merged in the omnibus labour force as the nature of work of a journalist is very different.

Mr Shishir Sinha, Senior Deputy Editor, Business Line, New Delhi

In the present scenario, he commented, major organisations had renamed their journalists as Content Managers, hence making them a part of the management wing instead of the journalists' wing. This, he regretted, had led to the blurring of lines between journalism and management.

He said that while the Labour Codes have been notified and the rules will be notified before March 31 by the centre, the Government has already issued the standing order for the service sector, of which the news media industry is also a part of. He specifically spoke about two clauses, viz. 10 and 25, the former discussed work from home and clause 25 discussed misconduct. These two clauses, in his view, were problematic as they did not allow a benefit of doubt and accused people. These clauses, he said would take away the space of subjectivity. Further, the new codes looked at Journalism as a service sector and not Journalism as a special profession.

Mr Sharat Pradhan, Senior journalist, formerly with The Times of India Lucknow

There is more exploitation in small newspapers and social security as a concept is of no concern to the owners. The government shall have to see to it that journalists were not put in an omnibus category.

The terrible attitude over the years, in his view was that the journalist community in case of a problem looked towards the government and not the media owners/employers who must extend suitable benefits to the employees as a matter of their right.

Many trade unions, he rued, had become laid back, while others had become government buddies. Individual aggrandisement, in his view, had taken over the concept of welfare for the entire journalist community.

One needed laws but these laws in his view had not brought any relief to journalists, like in case of the recommendations of the various Wage Boards. The employers lost no time in getting a stay order from the courts every time there was anything in favour of journalists. An average association or a journalist at his individual level, he said, had no resources to fight the might of employers in the courts of law.

Mr Qamar Waheed Naqvi, Senior Journalist and Former Director, Aaj Tak News Channel

He spoke on the unequal wages in the news media industry. It was an irony, he said, that people before the camera get paid more than those behind the camera.

With the advent of technology the types of media has changed drastically and so have the demands and the nature of work. With the coming of the digital era, the concept of working hours has become more fluid. This had led to irrelevance of the earlier acts. Keeping in mind the technology and the changing landscapes, more changes are required. Proper working hours and weekly off must be included according to the international standards. Work should not encroach upon the personal life of journalists.

Prof. Jaishri Jethwaney, Senior ICSSR Research Fellow, ISID, New Delhi

Labour and wages, she said, were a huge ‘blind spots’ in the news media industry. Journalists who seemed so empowered and “in control” to those who read their columns and watch them on news channels were almost without any robust support system. Stringers, an important part of the media ecosystem, were at the bottom of the pyramid, and not on anyone’s wish list.

When one looked at the classification of journalists in the National Classification of Occupations (NCO) 2015, Volume I, she shared, the occupation of journalism has been clubbed in Group 64: “Authors, Journalists, Linguists,” which needed to be addressed. Stringers found no mention in the sub-category within the classification.

Before the Labour Codes are implemented, she said, a Skill Committee with representation of the Chief Labour Commissioner, Director General Skill Development, and DG Employment would study the phenomenon in detail and if any category was left out—not only professional associations/unions, but also people at individual level—it could represent it. This window of opportunity, she emphasised, must be made use of by stringers or journalists’ associations to help them out.

Ms Sujata Madhok, General Secretary, Delhi Union of Journalists

Whatever little protection the journalists had from the two Acts concerning them, she said, it was taken away by repealing them and subsuming in the new Labour Codes.

In her view there were many contradictions in the codes. What is the point of adding electronic and digital media in the definition when they were not included in the definition of “employee,” she asked.

In 2019, she shared, the Delhi Union of Journalists tried to bring the issue in the public domain by organising meetings and consultations with legal minds and trade unions including the Bharatiya Mazdoor Sangh and all found problems in the codes. Most of the unions, she said, have rejected the codes.

The Working Journalists Acts, she said needed amendments to go with time but did not deserve to be repealed altogether as has been done.

There were problems from both the employer and employee side, she said; if the former had the power to hire and fire, then it had also been seen that many journalists toed the line of employers, politicians, and government for personal goals.

Journalists' associations, she shared, have long demanded a permanent wage board that would also oversee the implementation of its recommendations. The Majithia Commission held tripartite consultations, but despite that as many as 14 newspaper managements went to the court challenging it. The Supreme Court upheld the Working Journalists Acts many a time, but the employers have constantly challenged it, she rued.

When it came to women workers, they, in her view, had special needs like working hours, night shifts, late shifts, separate toilets, sexual harassment at work place, and maternity benefits. There have been many instances she shared when expectant women journalists lost their jobs.

On social security, she recommended insurance cover not only for journalists, but also their equipment.

Some media houses, she shared, have contributory pension scheme, but it could be as paltry as Rs. 500/- a month. There was no provision for pension in the Labour Codes.

Mr Jai Shankar Gupta, President, Press Association, Member of Press Council of India, Senior Journalist, Formerly with Hindustan Daily

The Working Journalists Acts on Wages and Conditions of Service were not very utilitarian, but at least they gave protection in letter, if not in spirit. Three hundred and sixty employees, she said, were fired by a newspaper organisation before the Diwali festival. Asserting their right, they all went to the designated Labour Court, won the case, but the employer challenged it and went to the High Court. The case, he said was still under litigation. So, do laws on their own merit help those in distress, in his view, was a moot point.

Stringers, he said, are nowhere on the wish list of employers. In most media houses, stringers were asked to give in writing that they were not journalists but undertaking the assignment as a part of their 'Hobby.' They were in fact known as "Hobby journalists!"

Whether the new codes would provide for a wage board for journalists was not known, but even if it were there, who was going to help implement its recommendations when the past experiences had been so bad, he questioned.

Dr Anand Pradhan, Professor, Indian Institute of Mass Communication, New Delhi

The state of affairs in the regional media organisations, he said was deplorable for journalists as far as wages and service conditions were concerned. Neither the stringers nor contractual employees found themselves on the roll registers. There were instances, he shared, of hiring journalists through third-party contracting agencies absolving themselves of any liability, whatsoever.

In regional press, employees generally did not get formal appointment letters. Good students, he shared, were no longer getting attracted to journalism courses.

In many instances, he shared, journalists were compulsorily retired when in their 40s and in their place young people were employed at lower wages. There was no clarity about how the new codes were going to help the already terrible conditions of working journalists.

Dr Surbhi Dahiya, Professor and Course Director, Department of English Journalism, Former Editor Communicator, Dean Students Welfare, Indian Institute of Mass Communication, New Delhi

With various laws subsumed in the overarching Labour Codes, the occupational jobs, she said did not accord any importance to journalists, but supported the corporate instead. In the past, the employer would serve a notice period, but with the new labour law, there would be immediate hiring and firing. The codes also took away the concept of wage board, and the right to strike by employees as it states, "All the strikes need to be notified 6 months prior."

With the coming of digital media a journalist job, she said has increased manifold, so have the concerns related to the profession.

One of the key points within these codes in her view was that floor wages would be set and taken as the base salary and on the basis of the kind and duration of work done, wage hikes would be given. This again, in her view, would benefit the proprietors and the pleas of the hard working journalists would go unheard. This would lead to the growing lack of social security.

Posters of the National Webinar

The poster is for a National Webinar organized by the Institute for Studies in Industrial Development (ISID) and Delhi Metropolitan Education (DME), Noida. The title is "Deconstructing New Labour Codes: Implications on the News Media Workforce" and it is scheduled for Wednesday, January 27, 2021, from 10.15 to 11.30 am. The poster features a central "KEYNOTE SESSION" and several speakers with their respective sub-themes.

Institute for Studies in Industrial Development (ISID)
New Delhi &
Delhi Metropolitan Education,
Noida
National Webinar

**Deconstructing New Labour Codes:
Implications on the News Media Workforce**

Wednesday January 27, 2021

Speakers

Mr. Bhartuhari Mahtab
Member of Parliament and Chairman,
Parliamentary Standing Committee on Labour
**Sub-theme: Merger of over forty
labour laws-** the process of consultations;
what the over-arching labour law means for
the industrial eco-system?

Prof. K G Suresh
Vice Chancellor, Makhmal Chaturvedi University
of Journalism and Mass Communication, Bhopal
**Sub-theme: Do the new labour
Codes fulfil the aspirations of
working journalists- Pros and Cons?**

Comrade J S Majumdar
National Vice President of the
Centre of Indian Trade Unions (CITU)
**Sub-theme: Deconstructing labour
codes-** IR, Social security, OSH, Minimum
wages - What do these indicate for the News
Media Workforce.

**KEYNOTE
SESSION**

10.15 - 11.30 am

Mr Aman Sahni
Vice Chairman, Delhi Metropolitan
Education, Noida

Prof. MR Murthy
Director, Institute for Studies
in Industrial Development (ISID)

Prof. Ambrish Saxena
Dean, DME Media School
Convener

Prof. Susmita Bala
Head, DME Media School
Co-Convener

Prof. Jaishri Jethwani
Sr ICSSR Research Fellow, ISID
Convener

Prof. Seema Goyal
ISID, New Delhi
Co-Convener

B 12, Sector 62, Noida
Tel.: 7042667951, 7042667516

dme.ac.in /dmenoida /dmenoida /dmenoida



Institute for Studies in Industrial Development (ISID)
New Delhi &
Delhi Metropolitan Education,
Noida



National Webinar

**Deconstructing New Labour Codes:
Implications on the News Media Workforce**

Wednesday January 27, 2021



Prof. Ambrish Saxena
Dean, DME Media School
Director, DME Studios and Production



Ms Stuti Kacker
IAS, Former Secretary Gol and Additional Secretary, Ministry of I&B



Mr. Shishir Sinha
Senior Deputy Editor, Business Line, New Delhi



Mr N K Singh
Senior journalist, columnist and former General Secretary of Broadcast Editors' Association



Mr Qamar Waheed Naqvi
Senior Journalist & former Director-News, Aaj Tak News Channel



Mr Sharat Pradhan
Senior journalist, formerly with The Times of India Lucknow



Prof. Jaishri Jethwani
Senior ICSSR Research Fellow, ISID, New Delhi



Ms Sujata Madhok
General Secretary, Delhi Union of Journalists



Mr Jai Shankar Gupta
President, Press Association, Member of Press Council of India, Senior Journalist

Speakers



Mr Aman Sahni
Vice Chairman, Delhi Metropolitan Education, Noida



Dr Anand Pradhan
Professor, Indian Institute of Mass Communication, New Delhi



Mr Prashant Tandon
Senior journalist and Editor of Freedom Express - A Non-profit media house



Dr Surbhi Dahiya
Professor and Course Director, Department of English Journalism, IJMC



Prof. MR Murthy
Director, Institute for Studies in Industrial Development (ISID)



Prof. Jaishri Jethwani
Sr ICSSR Research Fellow, ISID Convener



Prof. Seema Goyal
ISID, New Delhi Co-Convener

EXPERT SPEAK SESSION
11.30 am - 1.30 pm

B 12, Sector 62, Noida
Tel.: 7042667951, 7042667516

 dme.ac.in  [/dmenoida](https://www.facebook.com/dmenoida)  [/dmenoida](https://www.instagram.com/dmenoida)  [/dmenoida](https://www.linkedin.com/company/dmenoida)

List of ISID Working Papers

- 233 India's Participation in Electronics Industry Value Chains: A New Analytical Framework and A Case Study Analysis, *Smitha Francis & Murali Kallummal*, December 2020
- 232 A Comparative Study of Large Domestic and FDI Non-Government, Non-financial Companies in India, *K.S. Chalapati Rao, M.R. Murty & K.V.K. Ranganathan*, November 2020
- 231 Technology Transfer through FDI in India: Mode, Extent and Prospects, *Swati Verma*, October 2020
- 230 Trade Liberalisation and Export Competitiveness of Indian Manufacturing Industries, *Ramaa Arun Kumar & Biswajit Dhar*, October 2020
- 229 Outward FDI as a Strategy for Technology Catch-Up: A Case Study of Two Indian Automotive Firms, *Reji K. Joseph*, September 2020
- 228 Spatial Distribution of Workers in Manufacturing India – 1991 and 2011, *H. Ramachandran & Priyanka Tiwari*, September 2020
- 227 Impact of Preferential Trade Liberalisation on India's Manufacturing Sector Trade Performance: An Analysis of India's Major Trade Agreements, *Smitha Francis*, August 2020
- 226 Inbound M&As: in India: Issues and Challenges, *K.S. Chalapati Rao & Biswajit Dhar*, July 2020
- 225 Liberalisation, Structural Change and Productivity Growth in Indian Organised Manufacturing Sector, *R. Rijesh*, May 2020
- 224 Foreign Direct Investment and Innovation activities in Indian Manufacturing Industries, *Sanjaya Kumar Malik*, April 2020
- 223 Is Domestic Value Addition a Source of Export Sophistication? A Case Study India, *Anjali Tandon*, April 2020
- 222 Occupational and Employment Mobility among Migrant Workers: A Case Study of Slums of NCT of Delhi, *Ajit Kumar Jha & Arvind Pandey*, March 2020
- 220 Special Economic Zones: Location and Land Utilisation, *Surya Tewari*, March 2020
- 220 Import Intensity of India's Manufactured Exports – An Industry Level Analysis, *Mahua Paul & Ramaa Arun Kumar*, February 2020
- 219 Industrial Structure, Financial Liberalisation and Industrial Finance in India, *Santosh Kumar Das*, January 2020
- 218 India and Industry 4.0, *T.P. Bhat*, January 2020

* Most of the working papers are downloadable from the institute's website: <http://isidev.nic.in/> or <http://isid.org.in/>

About the Institute

The Institute for Studies in Industrial Development (ISID), successor to the Corporate Studies Group (CSG), is a national-level policy research organization in the public domain and is affiliated to the Indian Council of Social Science Research (ICSSR). Developing on the initial strength of studying India's industrial regulations, ISID has gained varied expertise in the analysis of the issues thrown up by the changing policy environment. The Institute's research and academic activities are organized under the following broad thematic areas:

Industrialization: Industrial policy, manufacturing sector, MSMEs, technology development, production networks, industrial clusters/corridors, SEZs, land acquisition, natural resources, regional development, entrepreneurship, sustainability, etc.

Internationalization: Cross-border flows of capital flows, FDI, technology transfer, IPRs, balance of payments, trade and investment agreements, etc.

Corporate Sector: Ownership and control, finance and governance, financial institutions, company law, securities legislation, regulatory bodies, M&As, business groups, public enterprises, public-private partnership, business ethics, CSR, etc.

Labour and Employment: Employment growth and structural transformation; labour force; skill development; quality of employment, labour flexibility; differentiations and disparities; informal sector and un-organised workers; etc.

Public Health: Social, cultural and economic determinants of health; structure of health systems; research and capacity building in the areas of pharmaceuticals, medical devices and healthcare sectors; IPRs and other areas of industry-health interface, etc.

Media & Communication: Studies in the area of media, communication and advertising.

ISID has been maintaining databases on corporate and industrial sectors in particular and other areas of developmental and social and economic issues in general. Its Online Reference Services includes On-Line Index (OLI) of 252 Indian Social Science Journals as well as 18 Daily English Newspapers Press Clippings Archive on diverse social science subjects which are widely acclaimed as valuable sources of information for researchers studying India's socio-economic development.

ISID

Institute for Studies in Industrial Development

4, Institutional Area, Vasant Kunj Phase II, New Delhi - 110 070

Phone: +91 11 2676 4600 / 2689 1111; Fax: +91 11 2612 2448

E-mail: info@isid.org.in; Website: <http://isid.org.in>