



# INDIAN FEDERATION OF WORKING JOURNALISTS

(Founded on 28 October 1950 in New Delhi and registered as trade union) Registration No. 1992

Add. : B-1, Vikram Nagar, Kotla Feroz Shah, Bahadur Shah Zafar Marg, New Delhi-110002

President : B.V. Mallikarjunaiah  
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Date: 02.11.2019

To  
Hon'ble Chairman and other Hon'ble members of the Parliamentary- Standing  
Committee on Labour  
Parliament House,  
New Delhi

Sub.: Regarding the Working Journalists Act.

Sir,

This is to draw your attention towards the all-round concern being felt by thousands of journalists and non-journalists' employees of the newspaper industry over the reported move of the Government to the repeal/abrogate the Working Journalists Act of 1955 and subsuming it with disparate acts, which have no commonality at with this Act. Why this Act is being clubbed with other Acts to be integrated with the proposed Code is beyond our comprehension. The Code is totally misconceived, and it is not going to serve any purpose of the media employees.

It must be mentioned here that the Working Journalists Act was enacted in 1955 by the Parliament on the recommendations of the First Press Commission. The Press Commission was set up by the Government of India under the chairmanship of Justice GC Rajyadhyaksh, which recommended in its report of 1954. Among other members of the Press Commission were Dr Zakir Hussain, R Venkataraman (both of them later became the Presidents of India), VKRV Rao, who was the first Director of the Delhi School of Economics and later the Union Minister in the cabinet of Mrs Indira Gandhi, Tribhuwan Narain Singh, who later became the Chief Minister of Uttar Pradesh, Jaipal Munda, Adivasi leader who was then the member of Parliament, M Chalapathi Rao, the then President of the Indian Federation of Working Journalists (IFWJ).

While appreciating and endorsing the initiative of the government for subsuming many labour laws because a plethora of laws does not do justice to the workers. During the parliamentary debate on the Working Journalists Act, it was pointed out by members that why should there be a different act for the journalists? It was rightly pointed out by the then government by profusely quoting the report of the first Press Commission that the profession of journalism cannot be equated with other professions and that is why it is a *sui generis* act, distinct from all other acts. Its constitutionality has been upheld many times by the Hon'ble Supreme Court of India, Firstly in the Indian Express case in 1958 and again in the ABP and others vs Union of India and others in 2014.

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The Working Journalists Act of 1955 provides certain facilities to the working journalists like; a journalist can be terminated from the job only after the payment of three months' salary which is six months in the case of an editor. As far as the gratuity is concerned it is lopsided against them because while other workers in other sectors are entitled to get their gratuity only after the completion of five years of regular service but in the case of a journalist, it is ten years. In case of those journalists who resign from their jobs on the call of their conscience after three years of their service, they can also avail the gratuity as per the Working Journalists Act, but it is easier said than done because it is an uphill task for any journalist to prove that he or she has resigned on the basis of the voice of his/her conscience.

Apart from it, a distinct feature of the Working Journalists Act is the provision for the constitution of the Wage Boards from time to time for the revision of the wages and allowances of the journalists and non-journalists working for the print medium, which works like a benchmark for deciding the wages for the employees.

We are, therefore, of the considered view that the Working Journalists Act should not only be protected but it needs to be strengthened and its ambit must be expanded to bring in the internet and electronic media in its sphere. We have the following request to make to this Hon'ble Committee.

(a) the Working Journalists Act should be comprehensively amended so as to bring the print, electronic, new media, social media and digital media in its ambit ; (b) A new Wage Board should be set up for revising the wages and allowances for all media employees to neutralise the inflation in the last more than ten years; (c) A Media Commission must be constituted to find out the changes that have taken place in the light of the huge explosion in the communication technology particularly in the last two decades more due to the advent of the internet; and also to suggest the ways and means to make the new media, digital media more responsive and responsible for society and the profession.

It is sad commentary that employees working in electronic and internet media have no safeguard whatsoever. Even the print medium employees are losing their protection because of the surreptitious introduction of the contract employment. In the media sector, it should be banned because of their hiring and firing at the whims and fancies of the proprietors are the biggest dangers to the freedom of speech and expression. The exploitative managements have been indulging into such anti-labour with gay abandon, without having any consideration for the livelihood of the employees.

Therefore, the provisions for the Wage Boards should not be disturbed and the Act should be made stronger and more self-contained instead of compressing it



*RP Pandey*





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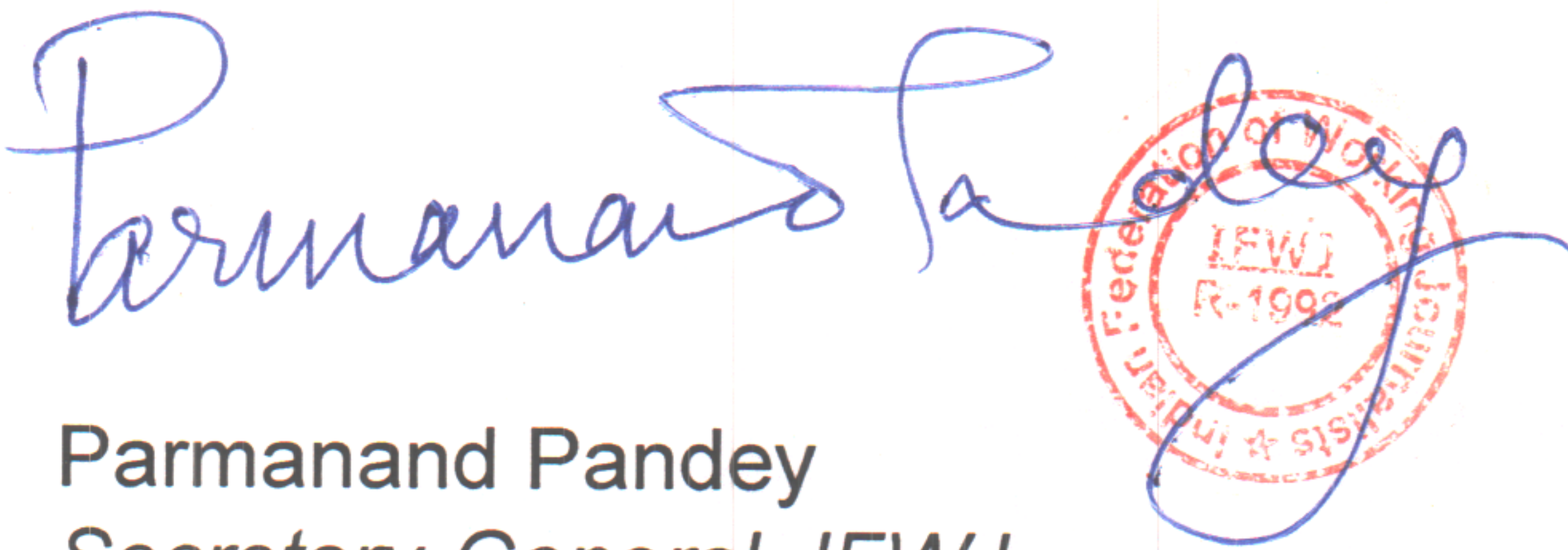
with other acts or codes. It must also be ensured that the recommendations of the Wage Boards are properly implemented failing which the provision of exemplary punishment and penalty in the Act. The facilities of limited duty hours, holidays and the period of notice on the termination of media employees should be retained.

The Indian Federation of Working Journalists (IFWJ) has been responsible for the constitution of the First Press Commission. Its first President M. Chalapathi Rau was one of its members of the First Press Commission. We reiterate that a new Media Commission should be set up consisting of eminent persons from the judiciary, social service executive and journalists to study and report about the state of media in the country and as to how to make it more responsive towards the society by maintaining the core values of freedom of speech and expression as enshrined in our constitution. Needless to say, that the free and independent media the sine-qua-non of the robust and vibrant democracy.

We hope that this Committee will also seriously consider providing enough protection to the media persons of all spectrums (print, electronic, internet, social, digital and the new media) by exhaustively amending and reinforcing the Working Journalists Act.

Thanking you,

Yours sincerely,

  
Parmanand Pandey  
Secretary-General, IFWJ

