

Research Article

## Delineating Gender Issues in the Indian Legislation Framework with Reference to Electronic News Media and Women Journalists

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### ABSTRACT

Gender remains a major structuring force of power relations in the patriarchal society that operates on man as a norm and looks at woman in contrast and opposition. Operating within the same society, media organizations are no different and very conveniently reinforce such gender-stereotypes. Do women journalists get any protection in existing press laws in the country? This paper intends to underline gaps in the provisions as contained in various press laws, acts or policies framed since the First Press Regulations 1799 of India with special reference to the clauses that deal with gender issues. This paper is an attempt to underline the need and urgency of addressing issues pertaining to gender equality and gender empowerment.

**Keywords:** Electronic news media, Gender, Legal framework, Women journalists

### INTRODUCTION

*...sex is biological, while gender is socially constructed. There is no necessary link between gender and biological sex. Masculinity and femininity are essentially coercive categories that ensure that man and women behave in certain way...*

*(Nayar, 2011: 71)*

Gender remains a major structuring force of power relations in the patriarchal society that operates on male as a norm and looks at female in contrast and opposition. Operating within this binary opposition between genders, media organizations are no different and they reinforce prevalent gender-stereotypes in society. This paper delves deep into the implications of such notions and practices in electronic media with reference to the status of women in terms of their career, professional growth, and upward mobility in the organizational hierarchy. Whether women in media industry get any protection with reference to the laws that govern the industry or there is need and space to formulate new laws keeping in mind the growing size of the industry and increasing population of female journalists within the industry. This paper has two objectives:

- a. Examining gaps in the provisions as contained in various press laws, acts or policies framed since the First Press Regulations 1799 of India with special reference to the clauses that deal with gender issues, and
- b. Underlining the need and urgency of addressing issues pertaining to gender equality and gender empowerment.

Women in any business whether related to field of glamour whether on screen or off screen, service industry, manufacturing sector, information and technology, administration etc., whether in India or abroad feel the same. The struggle of women is universal. This is a global fight contested across nations and cultures. Every woman is fighting at two levels, within herself and with the society. A project report by Pamela Bhagat (2005) on the status of working women journalist in the print media gives very significant insight into this struggle. The study was initiated by the National Commission for Women, India to look into the issues affecting the role of working women in print media. It suggests that print media working journalist have struggled a lot to get their share of benefit, duties and comfort. There were very few women journalists in daily newspapers (English, Hindi, as well as vernacular press) in the sixties. Most of the news dailies did not even have a single woman journalist. The few who got entry stood out. They had to struggle to open the doors. There were very few women in newspapers in the early sixties and they were not allowed to do night duty as the office also has to provide transport back home after night duty. So this important shift, which brings out the newspaper, was devoid of women till the mid-seventies. There was no toilet for women in the editorial floor of most of the newspapers and also no provision of Maternity leave for working women journalists in Print media. They all struggled for it and got it. Electronic media has all these facilities courtesy print media. The following section presents a brief survey of diachronic developments of formulations of rules and regulations and consequent practices in India.

## Pre Independence Press Acts and Women Journalists

The Fight for Free India and Fight for Free Press in India went along hand in hand during British Colonial Rule. Fight for free press dates back to the time since the first weekly was started in India in 1780. It was James Augustus Hickey who brought out the first weekly the Bengal Gazette. In his paper Mr. Hickey criticised the policies of the then Governor General Warren Hastings. This became the starting point of the struggle for the liberty of the press in India. The First Press Regulations 1799 were brought in, which is also sometimes referred as Censorship Law<sup>1</sup>. Lord Wellesley promulgated the First Press Legislation. Under this Act it was made mandatory for the newspaper to print the name and address of printer, editor and publisher. Sarkar (1984) compared this law with present day's requirement to print the names of printer, publisher and editor by every newspaper and suggests this requirement as repercussions of press regulations of 1799. There is no evidence to prove that any newspaper in those times had women publishers or editor's name printed on it. Till then taking licence for printing papers was not made mandatory.

Raja Ram Mohan Roy, who is also known as Father of Indian Journalism, didn't like this idea of printing names of publisher, editor and taking licence for publishing. So in his paper *Mirat II Akhbar*, he did not furnish these details and consequently became the prey to the new press law The Press Ordinance 1823<sup>2</sup>. (Reba Chaudbury, 1955, February 26) in *The Story of the Indian Press* published in *The Economic Weekly* writes:

*British Governor General to India, John Adam passed an ordinance in December 1823 which argued that all matters to be printed in a press or to be published thereafter should be printed under a licence, with the details of printer publisher and proprietor. Raja Ram Mohan Rai did not furnish these details in his paper Mirat II Akhbar. This regulation of John Adam later became fore-runner for the Vernacular Press Act, 1878 which was more clearer in conceptions and made clear distinction between British owned press and Indian Owned Press.*

But during these years of freedom struggle and much after that till 1860s there were no woman in Freedom Struggle of India who had a bent for writing in newspaper or sharing their view or ideas in Journals as a columnist. Raja Ram Mohan Roy is also considered to be the first feminist in India. He wrote a book in 1822 titled *Modern Encroachments on the Ancient Rights of Females*. He had visited England and France between 1831 and 1833. It was the time when seeds of feminism were already sown

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<sup>1</sup>The First Press Regulations 1799:

<sup>2</sup>The Press Ordinance 1823:

in other parts of the world. As early as in 1791, French Revolutionary Olympe de Gouges had already issued a *Declaration of the Right of Women and the Female Citizen*, arguing clearly and forcefully that women are not only equal to men but are also born free (Jill Evans, 2007). In the 19<sup>th</sup> century, in United States, the anti slavery movement was at its peak, in which women were very actively participating. In London in 1840, a World Convention on anti slavery was attended by Americans where women were not allowed to participate. Since Raja Ram Mohan Roy had visited few countries and was also very keen in learning English, he knew of these movements taking place around the world. He was probably the only Indian at that point of time who advocated the expansion of English and not Sanskrit in Indian Schools.

The Sati Act came in India in 1829. Women were vocal against atrocities on them, and when Raja Ram Mohan Roy started campaigning against it, women too rallied behind him, but none of them wrote any piece against this inhuman practice in the journals of that time. Women being the publisher or a proprietor at that time were not conceivable. Thus, whether it was First Press Regulations of 1799 or John Adam's Act 1823, both were silent on Women proprietors, publisher or licence holders.

It was Gagging Act 1857<sup>3</sup> that made licence compulsory for running or owing a printing press and empowered the government to prohibit and ban the publications, circulations of any newspaper book or any printed matter which can spread hatred or had a tendency to do so, against the government. This act also made it mandatory for the newspaper publisher to submit materials for vetting prior to publication. However, the act was abolished a year later. The Gagging Act of 1857 was also silent on women.

It was around this time women participation in Indian War of Independence had started. Many women like Rani Channama of Kittur, Rani Begum Hazarat Mahal of Awadh fought against the East India Company Regime, much before the 1857 Mutiny. But the role played by Rani of Jhansi, Rani Laxmibai in the revolt of 1857 received admirations from all corners including the Britishers. The way she led troops in the battle field, ignited a lot of women with patriotism. Subsequently many women belonging to educated and liberal families joined the freedom struggle from all walks of life, all castes, all religion, and all communities. But till that time there was no Indian woman who could have taken on the British on the literary front, or for that matter on publication front.

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<sup>3</sup>The Gagging Act of 1857:

Vernacular Press Act 1878<sup>4</sup> gave the mandate to district magistrate, or police to demand security from the printer and publisher of a newspaper, to forfeit such security or confiscate any printed matter considered objectionable in the interest of British government. This press act was never tried on any female publishers. Within the ambit of available literature of Indian freedom struggle and women participation, there is no evidence to prove that any act had separate mention of what to do and how to act in case the offender is a female.

But by the end of 19<sup>th</sup> century there were sizeable number of women who came out of their homes and started participating in freedom struggle. The first centre from were Indian freedom struggle saw intelligentsia coming out was from province of Bengal. One of the first ones, were Chandramukhi Basu and Kadambani Ganguli. Diveker Shlomoh, while writing on inspirational women in India had stated that Chandramukhi and Kadambani were the first girls in pre-independence era to have passed BA examination in 1882. (Diveker Shlomoh, 2015) In an around the same period Swarna Kumari Devi (1855-1932) became the first women to write a novel in Bengali Language. Ramabai Ranade (1862-1924) became the first women to address public meeting in English in 1883. Also Indian National Congress's first meeting took place in 1885, and it was attended by 10 women at that time. But literacy rate among Indian women remained as low as 2 per cent. This was also one of the reasons why even after being treated under the same law as that of man probably no woman fought for their exclusive rights. It was the time when across the world, women were coming up, to express the need and their desire to be treated equally to men. The movement became more organised by the end of 19<sup>th</sup> century, and women across the world started singing in one tune – grant us our due, grant us right to vote. As a result till 1917, at least eleven western state have given women suffrage right. (National Woman Suffrage Publishing Co : Votes for Women a Success 1917 Cornell, 1917) Back in India, till 1921, no one had heard of right to vote for women. Under British rule, it was decided province wise. At first, Madras Province decided to give women suffrage right, who owned land in the province. Universal Suffrage for both men and women in India was declared in Indian Constitution that was adopted in 1950.

For the first time around 1910, the Indian Press Act gave power to the press to raise their voice against the government. In this act the aggrieved party could appeal to a Special Tribunal of the High Court against orders of forfeiture within two months. But at the same time the publisher of the paper was required to furnish two copies of each issue of the newspaper free of cost to the government. Sedition In India: A

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<sup>4</sup>Vernacular Press Act 1878:

Quick History, *The Wall Street Journal* (Saptarishi Dutta, September, 2012) claims that Bal Gangadhar Tilak was the first Indian to be tried under this act and was sent to Burma for 6 years under sedition charges. Available literature on press laws during pre-independence era does neither have statement on any women writer imprisoned or reprimanded under any press act nor did any press act especially write any provisions for woman journalists.

By this time feminist movement for suffrage rights broke in some parts of the world. But freedom movement in India was yet to see sizeable number of Indian women participating in freedom struggle. First time there was appeal from the men quarter for the women to come forward and join. Dr. B. Sugana quotes A.O. Hume, founder of Indian National Congress as:

*“The political reformers of all shades should not forget that unless the elevation of the female element of the nation proceeds with equal pace with the work, all their labour for political enfranchisement will prove in vain.”* (Sugana, 2009)

It was result of this call from A O Hume, that 10 women attended 4<sup>th</sup> session of Indian National Congress in 1889. K Ganguli became the first women doctor from Bengal to speak from congress platform.

In history books Swarna Kumari Devi, sister of Rabindra Nath Tagore is considered to be the first woman editor. She started women’s association for the first time in India. But in Indian Freedom struggle history there is no evidence that ever Swarna Kumari Devi was tried under any press act separately as women for publishing articles against the government policies than. Swarna’s Daughter Sarala Devi also followed her mother’s footsteps and joined the Indian Freedom Struggle. She played important role of an informer between Punjabi and Bengali revolutionaries.

In 1905, Partition of Bengal took place. Though Bengali Women were the first to enter independence movement, but yet Partition of Bengal could not infuse that spirit in women that they can lead the movement from the front.

Till 1919 women role in freedom struggle was limited. In Indian national Congress they were shouldering the responsibility in national efforts through press and the other platforms. In society, they were holding the responsibility of collecting national fund and publicising the cause for which it was done. As a result women from all walks of life came forward by contributing their gold bangles, nose rings and bracelet to the national fund. Some women played important role of becoming watchful eyes and nose of Indian revolutionary’s elite brand of woman taking interest in the socio-political affairs of the country, Annie Besant formed Woman’s India Association, All India Women’s Conference, and organisations at local levels. (Sugana, 2009).

After Mahatma Gandhi joined the freedom struggle, he laid stress on those qualities of woman which were beneficial for the political campaign. As a result women got convinced. Hundreds of women, like Kamla Nehru, Sucheta Krupalani, Vijay Laxmi Pandit, Aruna Asaf Ali, Swaroop Nehru, Sarojini Naidu, Kasturba Gandhi, Madam Bhikaji Kama, Durga Bhai Deshmukh, participated in different political movements like Civil Disobedience, Salt Satyagraha, Swadeshi Movement, and Quit India Movement. Out of these women many went to jail as well but not for any publication reasons. The same book, mentions of women freedom fighter Charu Shila Devi, whose property was confiscated in suspicion that she was involved in murder of Midenpore Midnapore Magistrate. At that time right to confiscate property was associated to press acts. But nowhere in history books has it mentioned that Charu Shila Devi was tried under which act. This episode is very important with regards to this paper as she might be the first women to be tried under press act by the British.

There is mention of one female journalist Usha Mehta. She was the one who operated an underground radio station in Bombay. The “Congress Radio” news broadcast at 7.30 in the evening from August to November 1942, was made by Usha Mehta, till she was arrested with her colleague. She was sent to 4 yrs rigorous imprisonment and was sent to Yerwada jail. But under which press act was Usha Mehta tried, there is no mention of these laws in history of Indian press (Sugana, 2009).

There is no separate mention of Women journalists and Press Acts in History of Indian Freedom Struggle. After India got Independence, Dr. B R Ambedkar, was given the responsibility of drafting our constitution, our Fundamental Rights that we enjoy today is a gift of our constitution. For drafting Indian Constitution, Constituent Assembly was made. Out of 299 members of our constituent assembly, only fifteen were female members. But there was no mention of freedom of press separately. Forget about mentioning women journalists separately.

### **Constitutional Provisions Regarding Press Freedom in Post-Independent India**

There is no separate provision in our constitution guaranteeing freedom of Press. But one of the main objectives of the Constitution, as envisaged in the Preamble, is to secure liberty of thoughts and expression to all citizens. Sarkar, (1984) writes in order to give effect to this objective “freedom of speech and expression” has been guaranteed as a fundamental right under article 19(1) (a) available to all citizens, subject only to the restrictions which may be imposed by the State under clause (2) of that Article. The relevant portion of article 19 reads as follows:

*“19 (1) All citizens shall have the right – (a) to freedom of speech and expression:*

*(2) Nothing in subclause (a) of clause (1) shall affect the operation of any existing law, or prevent the State for making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of sovereignty and integrity of India, the security of State, Friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence.”*

Sarkar (1984), also states that there were demands from many quarters that freedom of the Press should be separately mentioned but these demands were rejected. Dr. Ambedkar stressed that freedom of expression includes freedom of Press.

But soon after the adoption of our constitution and independence the press had become more of a business than a mission. So a need was felt to enquire into the state of press. With this intention, the First Press Commission (1952-1955) was formed.

The mandate given to this commission was to find out factors that influenced the establishment and maintenance of high journalistic standards. Also it had the mandate to enquire into the control, management and ownership and financial aspect of newspaper industry. Justice J S Rajadhyaksha was the chairman of the first press commission. And it was formed by the ministry of information and broadcasting. But it had no representation from women section of journalist. Though names like Vidya Muni, Homai Vyrawala, and Usha Mehta were famous household names by then. Yet these names did not find mention in the commission. The commission had 4 members Dr. C P Ramaswamy Aiyer, Acharya Narendra Deo, Dr. Zakir Hussain, Dr. V K V Rao. Thus, it did not talk about the status of women journalists in the newspaper industry. However in its recommendation first time ever there was talk about the working conditions of journalist as a whole. It was courtesy that this commission that Working Journalist Act 1955 was formulated and also it was courtesy this commission that the first Press Council was established in 1966.

The Working Journalist Act 1955<sup>5</sup>, for the first time mentioned the issues related to retrenchment, gratuity, and provident fund, hours of work and minimum wages of working journalists. All these issues were given a patient hearing and they found place in the law. The main points in this act were:

- *Hours of work would not exceed 144 hours in 4 weeks*
- *In case of retrenchment there should be pay of one month given to the employee, else one month notice period should be given to them,*

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<sup>5</sup>The Working Journalist Act 1955:

- *Any working journalist shall be entitled for not less than 1/11<sup>th</sup> of the period spent on duty.*
- *This act laid emphasis on fixing of wages by wage board at interval suitable to the administrator.*

But working women journalist did not find separate mention in the act. Nothing was talked about regarding issues like maternity leave, abortion, miscarriage, odd shift hours. This act does mention that leave should be granted on production of medical certificate. And any employee could avail this kind of leave on one half of salary for 1/18 of the period of service. This is assumed to be true to avail maternity leave as well. Hence this could be made out that maternity leave in 1955 was not fully paid, and depended on the how long women had served the organisation. This is assumed to be true to avail maternity leave as well. This suggests that till 1955 there was no provision of maternity leave. It was dependent on how long women had served the organisation.

This act was named The Working Journalist and other Newspaper Employee (conditions of service) and Miscellaneous Provision Act 1955.

However one of the reasons why working journalist act 1955 was silent on working women journalist, was the prior existence of The Employees' State Insurance Act 1948<sup>6</sup>. All working women employees of any field, working anywhere, in any establishment were supposed to be governed by this general labour law.

Working journalist act 1955 is considered to be the first Act to protect the Journalist interests in our country. But it covered only journalists working in newspapers. Electronic media had not emerged by then in the country. However Indian Federation of Working Journalists, has been asking to amend this law and bring journalists of all media under its ambit, but it has not been able to achieve its demand (IFWJ website). In 2003 the Indian Journalists Union which claims to be represented by 15000 Indian Journalists gave its representation to amend Working Journalists Act. Indian Journalist Unions claims on its website, it demanded 4 things, from implementation of wage board to making its non-implementation a cognizable offence to increasing the retirement age of journalist to 60 years. But none of the demands were related to working women. Later on many revised versions of this act came into existence, the latest being the Working Journalist Act 2010<sup>7</sup>. After this act of 1955 many commission and committees were formed, but none had the mandate to

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<sup>6</sup>The Employees' State Insurance Act 1948:

<sup>7</sup>The Working Journalist Act 2010:

refer to the working environment in which journalists were subjected 24hours. Both the commissions and committee had worthwhile adequate representation from woman masses.

In 1964 -65 the Chanda Committee was formed, under the chairman ship of Mr. Ashok Kumar Chanda. Its working group had 7 members but no women representation. This committee presented its report for granting autonomy to All India Radio in April, 1966. This committee also suggested that Akashvani and Doordarshan should be separated.

In lines with the report of first press commission, Press Council of India Act 1965 was established. Its mandate was to protect the freedom of the press and maintaining and improving the standards of both newspaper and news agencies. However, the Press Council Act 1965<sup>8</sup> was later amended on 31<sup>st</sup> March 1970. The council's term which expired in December 1975 was not extended during emergency again. The Press Council's Act was revised in 1978 which was more or less on the same lines as the Press Council Act 1965. But women cell in Press Council started operating in December 2016, nearly five decades after it was established. This shows the seriousness of Indian press council towards women journalists.

After Chanda Committee, Verghese Committee was appointed in 1977 with the mandate how to make AIR and Doordarshan genuinely autonomous, under the chairmanship of B G Verghese. Out of 12 members, it had on female member Mrs Nayan Tara Sehgal, in this committee. Her presence in the Committee had nothing to do with the women journalist at all, as the committee did not had the mandate to work on conditions and problems of women journalist, neither on journalist as a fraternity. In its report suggested the formation of national broadcasting trust, namely Akash Bharti.

Thus, after a close look at the Indian press legislations pre and post-independence, its established facts that first representation of Indian women from Press found its place in Varghese Committee.

In 1978, the Government of India had constituted Second Press Commission with Justice P K Goswami as its chairman. But before this commission could have presented its report the, there was change in government at the centre and the commission had to be reconstituted again in 1980. Now Justice K K Mathew replaced Justice Goswami, all other members also changed. But more important was induction of Female Poet and Novelist Mrs Amrita Pritam as one of its members. Amrita Pritam

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<sup>8</sup>The Press Council Act 1965

noted Punjabi writer was known for writings on gender issues and women oppressions. Her autobiography “Rasidi Ticket” was also published by then, which was based on her life ordeal, yet her presence in the commission could do no good to the women journalist. The Second Press Commission gave recommendations on various issues including the press information bureaus, news paper prices, advertisement etc. but women working journalists did not find mention anywhere.

Two more committee P C Joshi and Bachhawat committee were set up in 1980’s. P.C. Joshi Committee’s (1984-85) mandate was to suggest ways to grant autonomy to Doordarshan. This committee had two female members Mrs. Rina Gill and Mrs Rani Chhabra. To work on working conditions of women journalist was not the mandate given to any of these commissions or committees.

Bachhawat Committee (1988), was formed to review the wages of the journalist. It recommended there should be equitable national wage policy and fixed different salary slabs. But this committee did not talk about wages of women journalist at par with male journalist i.e. equal pay for equal work,

### **Electronic Media Laws**

There are two laws that exist in our country with respect to electronic media.

- a. News policy for broadcast media issued by Ministry of information and Broadcasting to AIR and DD on May 4, 1982. This was emphasised on the on content, making distinction between the news and views and had to do nothing with the employees.
- b. Cable Television Regulation Act 1995. This act mainly dealt with does and don’ts of the cable operator and had no mention of the working conditions of any employee.

Other Labour Laws, like The Employee’ State Insurance Act (1948) Maternity Benefits Act 1961 and its amendment, Vishakha Guidelines (1997) Sexual Harassment at Work Place (2013), Equal Remuneration Act (1976) are few laws that have tried to make work place gender neutral in real terms. But none of them deals with working women journalist separately.

The Employee’ State Insurance Act (1948) was passed to provide certain benefits (Insurance) to employees in case of sickness, maternity and employment injury. It was also mentioned in the Act that the qualification of an insured woman to claim maternity benefit, the conditions subject to which such benefit may be given, the rates and period thereof shall be such as may be prescribed by the Central Government.

However, this act had no mention of press laws separately but working women in any organisation presently is also governed by this act. Hence the benefit of maternity that female journalist is not courtesy any press act, but its courtesy labour laws of our land.

Maternity Benefits Act 1961, and its amendments was enacted to safeguard and to regulate the employment of women in certain establishments for certain periods before and after child-birth and to provide for maternity benefit and certain other benefits.

After this act every woman was entitled to, by her employer for, the payment of maternity benefit, which is the amount payable to her at the rate of the average daily wage for the period of her actual absence. The maximum period for which any woman shall be entitled to maternity benefit was fixed up to 12 weeks in all whether taken before or after childbirth.

In a study by National Labour Institute, titled Implementation of Maternity Benefits Act 1961, (Shashi Bala, 2012, p-4).

It is interesting to know that the first Maternity Benefits Act was passed in 1929 by the Bombay Government and as result of the recommendation of the Royal Commission on Labour in INDIA (1931) the Maternity Benefit Act were passed in other states like Madras (1934), Uttar Pradesh (1938), West Bengal (1939), Assam (1944). That shows the growing awareness of the administration due to the active role of the Trade Union movement at that times which compelled the authorities to make some protective laws for women workers which went on improving in their substance in favour of women workers as the years passed.

Recently The Maternity Benefits (Amendment) Bill 2016 has been passed which extends 12 week maternity leave to 26 weeks. Also the bill requires establishment with 50 or more employees to provide crèche facilities within a prescribed distance. The woman will be allowed four visits to the crèche in a day. This bill was long pending as expert bodies like WHO have recommended 24 weeks of maternity leave to protect maternal and child health. However, this bill suggests that the cost will be borne entirely by the employer; it may have impact on job opportunities for women.

Apart from this, there exists a provision of Child Care Leave in government sector. This leave was introduced in sixth pay commission to facilitate women employee to take care of need of their children. It is granted to women employees having minor children below the age of 18 years for a maximum period of 2 years during their entire service period. It can be availed for taking care of up to two children, for

reasons like rearing or looking after child's need like examination or sickness etc. It cannot be taken in more than 3 spells in a calendar year and cannot be granted for less than 15 days at a stretch.

The Vishakha Guidelines is considered to be one of the most important tools in the hands of female working employee which they have got after much fighting. These guidelines recognized that sexual harassment is not just a personal injury to the affected woman but it also violates a woman's right to equality at the workplace. The guidelines shifted the onus for ensuring employees' safety and gender equality to the employer and institutions, whether it is in the government or the private sector and the employer was made responsible for implementing both preventive and remedial measures to make the workplace safe for women. These guidelines are not specific to media industry but are generic in nature for all female employees.

It was courtesy, Supreme Court of India, in 1997, for the first time ever, it was defined what actually is meant by sexual harassment. Physical contact or favour, demand or request for sexual favours, sexually coloured remarks, showing or sending porn videos or any other unwelcomed physical/ verbal or non-verbal conduct of sexual in nature is termed as sexual harassment.

Any women who is subjected to any of the above mentioned circumstances, at her work places, and her objection would disadvantage her in connection with her employment must be dealt with as per the Vishakha Guidelines. Whether government or private, every employer should have a complain committee as per these guidelines to address such cases. These committees should be headed by women, and not less than half of it should be women. In order to prevent any undue pressure or influence from senior levels, the committee, should have representation from third party either NGO or any other body who is familiar with the issue of sexual harassment. After the complaint by the female employee, the committee should initiate disciplinary action against offenders and safeguard the interest of the victims. Also under these guidelines it is the responsibility of the committee to make female employees aware of their rights. These guidelines exist in addition to the other legal provisions mentioned under IPC.

It was the inspiration drawn from the Vishakha Guideline Judgement that the central government drafted: The Protection of Women against sexual harassment at work places bill 2010, which was passed by Parliament in 2013. According to data available with the women and child development ministry, 526 case of sexual harassment was registered in 2014. The national crime record bureau collects these data under, insult to modesty of women. However, there is no centralised mechanism to collect such data. This is one big loop hole in this legislation.

Indian women are also entitled to equal remuneration at work under Equal Remuneration Act 1976. It states that it is the duty of the employer to pay equal remuneration to men and women workers for the same work or work of similar nature. Also there should be no discrimination be made while recruiting men and women workers. It is the job of the department of labour to ensure this law is followed in true spirit.

## CONCLUSION

Thus there exist gaps between the legislations and for the fraternity for whom the legislations are drafted. For past 6 decades there has been an attempt to paint both print and electronic media with the same brush and colour, but actually the needs and demands are different. No government or organisations realised this.

Our diachronic survey suggests that a woman journalist in media industry have restricted benefits and protection. The labour laws of the land barely addresses concerns specific to gender in the working environment. As the size of the electronic media industry is growing, and the working conditions in Print and Electronic Media are different, there is a need for a legislation that can look into the grievances of working women journalists in particular and bring it at par with the benefits women journalist enjoy in rest of Asia or other parts of the world. Particularly, commissions and committee formed after independence did not take into account the sizeable part of Indian Population i.e. women. So, in most of these, women representation was almost negligible because they had no reservation for women member. And those which had women participation, there was no mandate given to them to deal with women journalists, their needs and benefits. Since the work load, work type, and the nature of job is 24\*7, issues related to working women needs to be addressed separately. Hence, this paper suggests that any committee formed in future to study on law related to journalism should have reserved women representation, so that issues like pay parity and special benefits of flexible work hour, child care, pick and drop in odd shifts can be dealt with.

Another important issue that needs to be addressed is sexual harassment policy. According to The Sexual Harassment of Women at Workplace, the offence under this can be tried under the Indian Penal Code or under any law. According to the data available with the women and child development ministry, 526 case of sexual harassment was registered in 2014. The national crime record bureau collects these data under insult to modesty of women. However there is no centralised mechanism to collect such data. This is one big loop hole in this legislation. So, need of the hour is to undertake such study and analyse to what extent these laws are followed by media houses and on that basis further changes in implementation of these laws should be done.

Also, post maternity working women participation is negatively affected in the labour market. But with the implementation of amended Maternity Benefits Act in the private sector, its impact (positive or negative) needs to be analysed whether it is leading to meaningful participation of female labour force in the labour market or not. There is a lack of motivation exhibited by the industry post maternity. Assignment of providing maternity benefits on the employer can adversely impact on job opportunities for women. Cost should be shared between employer and the government to yield better results.

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