

Citizen's Charter
of
Press Council of India

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“ The Press Council is committed to provide its services to the citizen with utmost speed complete transparency and honesty”.

Our Vision

The twin objects of Press Council of India as embodied in Section 13 of the Act of 1978 are to

- (i) Preserve the freedom of the Press and
- (ii) To maintain and improve the standards of newspapers and news agencies in India.
- (iii) An Appellate Authority under the Press & Registration of Books Act 1867, grant redress to a person aggrieved by an order of a Magistrate refusing to authenticate a Declaration under Section 6 or cancelling an existing Declaration under Section 8-B of the said Act of 1867. (Refer at Annexure –I)

Our Mission

The mission of Press Council of India is to help newspapers and news agencies to maintain their independence; to build up a code of conduct of newspapers, news agencies and journalists in accordance with high professional standards, to ensure on the part of the newspapers, news agencies and journalists the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities; to keep under review any development likely to restrict the supply and dissemination of news of public interest and importance;

to promote a proper functional relationship among all classes of persons engaged in the production or publication of newspapers or news agencies; and to concern itself with development such as concentration of or other aspects of ownership of newspapers and news agencies which may effect the independence of the press.

Our Jurisdiction

The whole of India including Jammu and Kashmir and Sikkim.

Our services

- Redress the complaints made by the general public, the newspaper and the journalists regarding violation of the norms of journalism or of the freedom of the press.
- Either suo-motu or on a reference made to it by the Government, undertake studies and express opinion in regard to any bill, legislation, law or other matters touching the Press and convey opinion to the authorities or the persons concerned.
- In a case of public importance, touching its statutory responsibilities, suo-motu take cognisance and make on-the- spot inquiry.

Our Clients

Cases of violation of ethics:

- Citizens of India, not necessarily the person aggrieved or directly involved, unless the plaint carries a charge of defamation. Foreigners may also lodge a complaint against a paper published within the jurisdiction of the country.

Cases of threats to press freedom:

- A newspaper, a journalist or any institution or individual can complain against Central or State Government or any organisation or person for interference with free functioning of the press or encroachment on the freedom of the press.

Composition of the Council

- Press Council is a statutory autonomous authority set up under the Press Council Act, 1978.
- The Council is headed by a Chairman, a whole time officer who by convention is a retired Judge of the Supreme Court and is nominated by a committee consisting of the Chairman (Rajya Sabha), the Speaker (Lok Sabha) and a person elected by the members of the Council from amongst themselves.
- Consists of 28 other members.

- Among whom, in accordance with such procedure as may be prescribed by the working journalists and persons owning newspapers, agencies as the case may be –
 - 06 shall be editors;
 - 07 shall be working journalists other than editors; the editors and working journalists other than editors, in relation to newspapers published in Indian languages shall be not less than three and four respectively;
 - 06 shall be nominated from among persons who own or carry on the business of management of newspapers, however there shall be two representatives from each of the categories of big, medium and small newspapers;
 - 01 nominated from among persons who manage news agencies;
 - 03 persons having special knowledge or practical experience in respect of education and science, law and literature and culture of whom one each nominated by the University Grants Commission, the Bar Council of India and the Sahitya Academy.
 - 05 Members of Parliament – three members of Lok Sabha nominated by the Speaker and two members of Rajya Sabha nominated by its Chairman.

Term of the Council

- The Chairman and other members hold office for a period of three years and in the event of any vacancy the member filling up the vacancy shall hold office for the remainder of the term. The 20 persons representing the press are sent to the Council by associations recognised by the Council as All India bodies representing the specified category.

What constitutes a complaint?

- Breach of the recognised ethical canons of journalistic propriety and taste in the publication or non-publication of a news-item or statement, or other material, like cartoons, pictures, photographs, strips or advertisements, which are published in a newspaper.
- Against any matter transmitted by news agency.
- Freedom of the press being threatened or encroached upon through denial of facilities that helps in collection or dissemination of news or through threats/harassment or assault.

Time Limit

- Within two months in the case of a complaint relating to the publication or non-publication of any matter in respect of dailies and weeklies or in regard to any matter transmitted by the news agencies, and

- Within four months in all other cases provided that a relevant publication of an earlier date might be referred to in the complaint.
- Within four months of the misconduct complained of against any professional misconduct by an editor or a working journalist.

Procedure for complaint

- Writing to the editor of the concerned newspaper first drawing his attention as to what is considered to be a breach of journalistic ethics or an offence against public taste and seeking right of reply.
- **Mandatory requirements of a Complaint:**
 - The Complainant is required-
 - to give the name and address of the newspaper, editor or journalist against whom the complaint is directed.
 - a clipping of the matter or news-item (s) complained of, in original.
 - to state in what manner the impugned news-item (s) or the material (s) complained of is objectionable with relevant particulars, if any.
 - if against non-publication of material, will have to say how that constitutes a breach of journalistic ethics.
 - to declare that “ to the best of his knowledge and belief has placed all the relevant facts before the Council and that no

proceedings are pending in any court of law in respect of any matter alleged in the complaint”; and

- “that he/she shall notify the Council forthwith if during the pendency of the inquiry before the Council any matter alleged in the complaint becomes the subject matter of any proceedings in a court of law”.

Processing of the Complaint

- If a complainant does not comply with the requirements, the complaint may be returned informing of the reason (s) and asking the complainant to bring it in conformity with such requirements and represent it within such time as may be fixed in that behalf. In the event of further non-compliance, the complaint is liable to be rejected.
- If it is found that there are no sufficient grounds for inquiry, the complaint may be dismissed and report it to the Council, otherwise the editor of the newspaper, news agency or the other working journalist concerned is served with the notice asking to show cause why action should not be taken against him.
- The parties may adduce relevant evidence, oral or documentary and make submissions in support of their contentions before the Council by appearing personally or through their authorised representatives including, legal practitioners.
- On the basis of the facts on record and affidavits or the oral evidence adduced before it, the Council passes orders.

- Where at any time in the course of the inquiry into the complaint, it appears to the Council that the subject matter of the complaint is substantially the same as, or has been covered by any former complaint, the Council, may hear the parties, if desired and on its recommendations, may pass such order as may be considered necessary and the same shall be duly communicated to the parties.
- In the cases lodged against the press where the Council is satisfied that a newspaper or news agency has offended against the standards of journalistic ethics or public taste or that an editor or working journalist has committed professional misconduct, the Council may warn, admonish or censure the newspaper, the news agency, the editor or the journalist, or disapprove the conduct thereof, as the case may be.
- In the cases lodged against the authorities, the Council invites the statement of complainant in reply of the respondent authorities. After inquiry, the Council is empowered to make such observations as it may think fit in respect of the conduct of any authority including government. *(However, in certain cases the Central and State Governments are quick to take remedial action in restoring advertisements, newsprint or accreditation facilities. In such cases it is the duty of the complainant to immediately inform the Council about this and whether he/she would like to pursue the complaint with the Council or not. This is necessary if the complainant want that their complaints should be attended to by the Council in right earnest).*

- Where the Council is satisfied that charges of threats to or curtailment of the freedom of the press by an authority have been established, it advises remedial action with the observation deemed fit.
- Every case is determined by a majority of votes of the members of the Council present and voting, and in the event of the votes being equal, the Chairman has a casting vote.

Obligations on the press

- Fund of the Council comprises of two components. One grant in aid from the Central Government and two, the fee levied upon newspapers published in the country on an annual basis.
- The press is legally obliged to remit fees, which is levied on a graded scale on all registered news papers and news agencies having circulation of 5000 copies and above per issue through Demand Draft within thirty days of the receipt of the Demand Notice from the Council and failing which the amount can be recovered as arrears of Land revenue under Revenue Recovery Act, 1890.
- When a publication is ceased/suspended, a declaration to this effect be filed before the District Magistrate by the publisher/owner and a copy of it be sent to the Press Council to enable it to stop legal process of recovery.
- Any change in ownership or even change of address should be intimated immediately.

The Secretariat

Allocation of work among the divisions:

- The secretariat of the Council comprises of the employees with hierarchical structure and functioning system similar to the Government of India. The officers of the rank of Under Secretaries and above are enlisted at Annexure II. The Grievance Redressal Mechanism of the Council may be seen at Annexure III.
- The Complaints Section of the Council processes the complaints lodged before the Council under sections 14 or 15(4) of the Press Council Act and the Appeals filed under section 27, read with section 8(c) of the Press and Registration of Books Act, 1867. The process of inquiry and adjudication is handled by the Meetings section.
- The Levy Section has a responsibility to levy the fee and recover the levy imposed on the newspapers under section 16 of the Press Council Act.
- The Editorial Section of the Council brings out Annual Reports and Quarterly house Journals namely the Press Council of India Review in English, which carry Council's adjudications, PRAB decisions and other necessary information.
- The Hindi (Rajbasha) Section is responsible for ensuring the implementation of Rajbasha Policy under which it brings out the Hindi version of all the adjudications and reports of the Council, apart from the day to day translation work. It brings out the Annual Report in Hindi and a quarterly journal 'The Press Parishad Samiksha'.
- The reference Library of the Council provides information/reference service to the press and the public such as press persons,

students, research scholars of various institutions and departments on Press, law and other related subjects. It maintains clippings culled out from 16 Indian newspapers, one foreign newspaper, 18 magazines and various reports of national and international institutions on daily basis along with information on other various subjects for ready reference.

Annexure-1

PRESS & REGISTRATION APPELLATE BOARD

1. Composition

The PRESS & REGISTRATION APPELLATE BOARD consists of a Chairman and another member to be nominated out of the members of the Council.

2. Object

To grant as an Appellate Authority redress to a person aggrieved by an Order of a Magistrate refusing to authenticate a Declaration under

Section 6 of the Press & Registration of Books Act, 1867 or cancelling an existing Declaration under Section 8(B) of the said Act.

3. Procedure

The Appellant may prefer an appeal accompanied by the impugned Order and other relevant documents under Section 8(C) of the Press & Registration of Books Act, 1867 within 60 days from the date on which such order is communicated to him. The Board may, however, entertain an appeal after the expiry of the said period, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.

On receipt of an appeal, the Appellate Board may call for record from the Magistrate concerned and thereafter afford an opportunity of hearing to the parties.

4. Powers

The Press & Registration Appellate Board, after holding inquiries into the matter, may confirm, modify or set aside the Order appealed against.

5. Decision

The Orders of the Board are communicated to the parties in writing dasti or by registered post.

List of officers upto the level of Under Secretaries with telephone numbers:-

***EPABX No:- 24366745/46/47/49-24366403/04/05-24366425-
Fax Extn.224 & 24368723 – 24368726 (Direct)**

1. Shri Justice Ganendra Narayan Ray : 24368723 (O) –Direct
Hon'ble Chairman 24368720 (O)-Direct
23015797 (R)
23010271 (R)

2. Smt. Vibha Bhargava : 24368726 (O) - Direct
Secretary 42445315 (R)

3. Shri Kunwar Singh : 24368724(O)-Direct
Deputy Secretary 22726011 (R)

4. Shri V.K.Bahl : *Ext.204 (O)
Principal Private Secretary 25496957 (R)

5. Smt. Manju Sharma : *Ext.301 (O)
Law Officer 51401019 (R)

6. Miss Usha Rani : *Ext.107 (O)
Library & Information Officer 22371484(R)

7. Smt. Punam Sibbal : *Ext. 305(O)
Under Secretary 22613531 (R)

8. Ms. Sangeeta Malik : *Ext. 307(O)
Under Secretary 25590103(R)

Shri Ravi Kumar Uppal, Under Secretary is on deputation with the Debts Recovery Tribunal.

Grievance Redressal Mechanism

The address of the Grievance Officer of the office of Press Council of India is as below:

Smt. Vibha Bhargava,
Secretary/Director Grievance
Press Council of India
Soochana Bhawan, Phase IV,
8, C.G.O. complex, Lodhi Road,
New Delhi – 110 003.
Tel.No: 24368726
Fax No. 24366745/46/47/49 - Extn.224
E-mail: pcids@vsnl.net

Any person not satisfied by any service of the office of Press Council of India or aggrieved by any other action or inaction by the office, can seek redressal of his/her grievances through this officer. Such person may file a written complaint neatly typed in duplicate. Every such person shall be entitled to information about the action taken on his/her grievance within a period of 30 days from the date on which the complaint is received in her office.

If members of the Public desire to meet the Director Grievance in connection with their grievances, they can do so on all Wednesdays between 4:00 p.m. and 5:00 p.m. in her office.

If anyone wishes to offer suggestions for improvement of the services provided by Press Council of India he/she can send them to the Grievance Officer at the above address, or drop them in the Suggestion Box available in the office.

TIME SCHEDULE

Meeting Section

1. As per the Press Council (Procedure for Conduct of Meeting and Business) Regulation 1979- for convening the meeting of the Press Council, the notice shall ordinarily be issued to every members at lease twenty one days before the meeting and the said twenty one days are to be counted from the date of posting.
2. **Power to raise matter at meetings:** A member shall be entitled to bring before the Council any matter only after having given ten clear days' notice to that effect to the Secretary and such matter shall be put on the agenda of a meeting of the Council, provided that the Chairman in his discretion allow such matter to be raised at any meeting even without such notice.

Levy Section

Sl.No.	Service offered	Type of Service	Time Schedule
1.	Raising of Demand Notice to i. Newspapers periodicals/New agencies ii aid	In furtherance of Section 16 of the Press Council Act, 1978, soon after receipt of information regarding periodicity news agencies, the work of raising of demand notices are started from April 1 of every financial year.	Time Schedule 1) Within two months from the date of receipt of information from RNI 2) Regarding the completion of Annual figure upto 10 June.
2.	Reminders	Reminders are issued after one month from the date of issuance of demand notice when there is not response from the parties.	Within a period of one month
3.	Legal Notice	Correspondence are being done with respective DMs/DCs for recovery of levy of fees from defaulting news papers/periodical of their respective districts by way of legal notices form 15 days of issuance of reminders.	Work is started after checking the reasons including ledger folios and files and work is completed before the end of every financial year.
4.	Entry of fees remitted by the parties.	The levy of fees remitted by the parties are entered in the respective ledger folios maintained in the section and thereafter TR receipts issued by the Accounts Section are dispatched to the parties.	Within two week of receipt of fees remitted by the parties.
5.	Issuance of No Dues certificate(s)	Upon receipt of requests from the parties No Dues Certificate(s) are issued if and when their dues are clause.	Within two weeks from the late of receipt of the request in the section.
6.	Dealing with various receipts	Various communications received from parties/Ministries are dealt with in the section.	Within two weeks from receipt of the communications in the section.

Editorial Section

Sl.No.	Nature of Correspondence	Time schedule to be put up	Time schedule for disposal	Remarks
i)	Communication from the General Public seeking membership of the Council	Processed within a week	As and when approved by the Competent Authority	Can be done earlier also keeping in view the urgency
ii)	Request for Messages and Invitations to Hon'ble Chairman/Secretary student visit	Processed instantly depending on urgency	Depending on urgency got approved personally and disposed off accordingly	Can be done earlier also keeping in view the urgency
iii)	Receipt from various Government Department	Processed instantly keeping in view the urgency of the matter	As and when approved the Competent Authority	Can be done earlier also keeping in view the urgency
iv)	Misc. Communications pertaining to the Editorial Work	Processed within a week	-do-	Can be done earlier also keeping in view the urgency

Complaints Section

- i) Acknowledgment be sent within a week preferably requiring the complainant to fulfil the requirements of Inquiry Regulations, 1979.
- ii) In case the complaint is in conformity with Inquiry Regulations, 1979, a show-cause notice be issued to the respondent within a fortnight from the date of receipt of the complaint.
- iii) In cases where the papers are complete like comments/written statement/counter comments and there is a strong likelihood of listing the matter before the Inquiry Committee. The matter could be disposed of within a maximum of four/six months.
- iv) Any reference received from the Ministry/Parliamentary Question/VIP/MP or any other institution should be acknowledged immediately informing that a proper reply will be sent in due course.

Legal Matters

1. Writ Petitions filed in the various Courts by complainants against the decisions of the Press Council.
2. Writ Petitions filed by various Press Organizations in the various Courts at the time of Reconstitution of the Press Council.
3. Writ Petitions filed in the High Court of Delhi/Supreme Court of India w.r.t. Administrative matters.

Regarding the above matters, there is no time limit for disposal of the Writ Petitions by the Council as the disposal of the matters is dependent upon the Courts, as and when they list the matters for hearing and later fix a date to pronounce their decisions.

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