

## **Press Council of India**

### **Agenda Item No. 5**

**Draft Adjudications based on recommendations of Inquiry Committee (Meetings held on 15-16.07.2013 at New Delhi and 23-24.07.2013 at Varanasi and 22-23.08.2013, 19-20.09.2013 and 28-29.10.2013 at New Delhi)**

### **Complaints by the Press** **Section-13**

#### **Inquiry Committee-I Meeting held at New Delhi on 15-16.7.2013**

1. Shri Prabodh Jamwal, Publisher, The Kashmir Times, Hindi Daily, Jammu, against the Director, DAVP, New Delhi. (13/100/11-12)
2. Shri Prabodh Jamwal, Publisher, The Jammu Prabhat, Jammu, against the Director, DAVP, New Delhi. (13/101/11-12)
3. Shri Prabodh Jamwal, Publisher, The Kashmir Times, English, Jammu, against the Director, DAVP, New Delhi. (13/122/11-12)
4. Complaint of Shri Govind Singh Bagravat, Editor, Sanjha Lokswami Susnair, Shazapur, M.P. against Smt. Rekha Rathore, SDM, Susnair, Shazapur, M.P. (13/141/10-11)
5. Complaint of Shri Naresh Khattar, Chief Editor, Daurti Delhi, New Delhi against Shri Suresh Malik, Chairman, Shri Sanatan Dharam Mandir, Tilak Nagar, New Delhi and Police Authorities. (13/30/11-12)
6. Complaint of Shri Ramchandre Kumar Anjana, Correspondent, Hindustan Dainik, Bokaro against Shri Ramod Kumar Singh, SHO, Police Station, Bokaro, Jharkhand. (13/23/10-11)

#### **Inquiry Committee-II Meeting held at Varanasi on 23-24.7.2013**

7. Complaint of Shri Bachhu Lal Dwivedi, Publisher/Editor, Khiri Kranti Darshan, Khiri, Uttar Pradesh against Shri Om Prakash Tiwari, Advocate and Police Authority. (13/26/10-11)
8. Complaint of Shri Kanhyalal Vishvakarma, Chief Editor, Bundelkhand Subarta, Lalitpur, U.P. against the local police authorities. (13/120/10-11)
9. Complaint of Shri Omprakash Verma, Editor, Raatriman Newspaper Baharaich, U.P. against the SHO, District Baharaich, U.P. (13/131/10-11)
10. Complaint of Shri Lokesh Kumar, Journalist, Amar Ujala, Lakhimpur Khiri, U.P. against the then Sector Magistrate, Sharda Nagar, Presently Assistant Engineer, Irrigation Department, Sharda Nagar, District – Lakhimpur Khiri, U.P. (13/129/10-11)
11. Complaint of Shri Mahesh Chander Verma, Editor, Jwala Ke Sath, Hathras, District Mahamayanagar, Uttar Pradesh against the police authorities. (13/172/10-11)
12. Complaint of Shri Nihal Hussain, Chief Editor/Publisher, Sab Pe Nazar, Moradabad, U.P. against the police authorities and state administration. (13/6/11-12)
13. Complaint of Dr. Neeraj Kumar, Journalist, Naya Kya Hai, Barot, District Bagpat, U.P. against SHO, Barot, U.P. (13/21/11-12)

14. Complaint of Mohd. Akram khan, Editor, Brashtachar Kyoun, Moradapad, U.P. against the anti social elements and local police authorities, U.P. (13/76/11-12)
15. Complaint of Shri Vinod Kumar Kudeshiya, Chief Correspondent, Dreemland, Farukhabad, U.P. against Shri Haridas Verma, Sub-Inspector, Fatehgarh, Farukhabad, U.P. (13/158/11-12)
16. Complaint of Shri Prabhakar Shukla, Chief Correspondent, Detective Media, Kushinagar, U.P. against the Shri Sanjay Singh, Division Development Officer, Kushinagar, U.P. (13/75/11-12)
17. Complaint by (i) Uttar Pradesh Journalist Association, Hathras (ii) Press Club, Hathras (iii) Human Rights Association of India, Hathras, U.P. against the police, Hathras, U.P. (13/140/11-12)
18. Complaint of Shri Nizamuddin Siddiqui, Correspondent/Owner, Salam Banda, Uttar Pradesh against local police and mining mafia. (13/26/12-13)

Inquiry Committee-I Meeting held at New Delhi on 22.8.2013

19. Complaint of Shri Mahaveer Jain, Correspondent, Dainik Maru Lehar, Rajasthan against Shri Mevaram Jain, MLA, Barmer, Rajasthan. (13/42/12-13)

Inquiry Committee-II Meeting held at New Delhi on 19-20.9.2013

20. Complaint of Shri Murli Prithyani, Correspondent, Prabal Shrishti, Katni, M.P. against the district administration. (13/150/10-11)
21. Complaint of Shri Lakshman Singh Maidh, Editor, Rashtriya Chetana , District Naguar , Rajasthan against Dr. Surbhi Vashishth and Dr. Vinayak Gaur, Medical Officers, Government Hospital, Boravad, District Naguar, Rajasthan. (13/150/09-10)
22. Complaint of Shri S. Manimaran, editor, Thinaboomi, Tamil Daily, Madurai, Tamil Nadu against Tamil Nadu Administration. (13/88/10-11)
23. Complaint of Shri Sanjay Bhati, Owner/Publisher/Printer, Supreme News, Gautam Budh Nagar, U.P. against the District Magistrate, Gautam Budhnagar and Dainik Jagran, Gautam Budh Nagar, U.P. (13/136/10-11)
24. Complaint of Shri Mohan Sharma, Editor, Dainik Rajasthani Chirag & Weekly Kranti Bigul, Bikaner, Rajasthan against Directorate of Information & Public Relations, Government of Rajasthan, Jaipur. (13/27/11-12)
25. Complaint of Shri Shakti Pratap Singh, Local Correspondent, Aaj, Hindi Dainik, Allahabad, U.P. against S.H.O. & C.O., Manda, Allahabad, U.P. (13/25/11-12)
26. Complaint of Shri Harjit Dua, Journalist, Delhi against Shri Dilbar Gothi, Metro Editor, Navbharat Times, Shri Deepak Gothi, & Taj Githi, Editor and Reporter, Bandemataram, Delhi. (13/142/11-12)
27. Complaint of Shri Tapas Kumar Basu, Editor, Halfil Khabor, Bengali Fortnightly, West Bengal against Director, Information & Public Relations Department, Government of West Bengal, Kolkata. (13/36/12-13)

Inquiry Committee-I Meeting held at New Delhi on 28-29.10.2013

28. Complaint of Shri Mahavir Jain, Correspondent, Maru Lehar, Barmer, Rajasthan against the Commissioner, Municipal Corporation, Barmer and Director, Department of Local Bodies, Government of Rajasthan, Jaipur, Rajasthan. (13/84/12-13)

29. Complaint of Dr. Sajal Basu, Chief of News Bureau, Indian News Service, Kolkata against Department of Information & Cultural Affairs, Government of West Bengal, Kolkata. (13/150/11-12)
30. Complaint of Shri Rajbahadur Yadav, Photographer, Hindustan, Sultanpur, U.P. against the local Police authorities. (13/146/12-13)
31. Complaint of Shri Rajiv Maharaj, Journalist, Aaj, Lakhimpur, U.P. against Shri Ramsingh, Narender Verma, Pawan Kumar, Tekikuda, holagadh. (13/49/12-13)
32. Complaint of Shri Jasbir Singh Sukhija, Chief Editor/Publisher/Printer/Proprietor, Dashmesh Pita, Patiala, Punjab against Shri Ishwinder Singh, District Public Relations Officer, Patiala. (13/63/11-12)

## Press Council of India

**Agenda Item No. 5**                      **Draft                      Adjudications                      based                      on**  
**recommendations of Inquiry Committee (Meetings**  
**held on 15-16.07.2013 at New Delhi and 23-24.07.2013**  
**at Varanasi and 22-23.08.2013, 19-20.09.2013 and 28-**  
**29.10.2013 at New Delhi)**

### Complaints Against the Press Section-14

#### Inquiry Committee-I Meeting held at New Delhi on 15-16.7.2013

1. Complaint of Shri Kesi Ram Maretiya, Sumerpur, Rajasthan against the editor, Samaj Ka Settu, Pali, Rajasthan. (14/403/10-11)
2. Complaint of Shri Karuna Kanta Barua, IAS, (Retd.) Guwahati, Assam against the editor, The Telegraph, Kolkata. (14/389/09-10)
- 3-4. Complaints of Shri Mriganka Bhattacharjee, Working Chairman, Crime Prevention Council of Assam, Shillongpatty, Dispur, Guwahati against the editors, (i) Asomiya Pratidin, (ii) The Telegraph, Guwahati, (14/615&618/09-10)
5. Complaint of Shri K.O. Samuel, Kolkata against the editor, The Statesman, Kolkata. (14/419/10-11)
6. Complaints of General Secretary, Popular Front of India, Kalindi Kunj, New Delhi against the editor, Hindustan Times, Lucknow. (14/147/12-13)
7. Complaints of General Secretary, Popular Front of India, Kalindi Kunj, New Delhi against the editor, The Inquilab, Noida. (14/151/12-13)
8. Complaints of General Secretary, Popular Front of India, Kalindi Kunj, New Delhi against the editor, Indian Express, Chennai. (14/154/12-13)
9. Complaints of General Secretary, Popular Front of India, Kalindi Kunj, New Delhi against the editor, Nav Bharat Times, New Delhi. (14/155/12-13)
10. Complaints of General Secretary, Popular Front of India, Kalindi Kunj, New Delhi against the editor, Deccan Chronicle, Kochi. (14/157/12-13)
11. Complaint of Shri Sushil Kumar Agarwal, Chairman, Nagar Pachayat, Latehar, Jharkhand against the editor, Dainik Jagran, Ranchi, Jharkhand. (14/26/10-11)
12. Complaint of Shri Sushil Kumar Agarwal, Chairman, Gandhi Inter Mahavidhalya, Latehar, Jharkhand against the editor, Dainik Jagran, Ranchi, Jharkhand. (14/325/10-11)
13. Complaint of Dr. Kunwar Virender Pratap Singh, (through Advocate Shri Amit Kumar) Sasaram, Bihar against the editor, Hindustan, Patna, Bihar. (14/693/10-11)
14. Complaint of Dr. Murgesh Vaishnav, Consulting Psychiatrist and Sex Therapist, Ahmedabad, Gujarat against the editor, 'Sandesh', Gujarati Daily, Ahmedabad. (14/706/10-11)
- 15-16. Complaints of Shri Kiran S. Sahu, Wing Commander (Retd.), President, Kendujhar Citizens Forum, Utkai Minerals Pvt. Ltd., District Keonjhar, Orissa against the editors (i) Samaja (ii) Prajatantra, Cuttack. (14/95-96/10-11)

17. Complaint of Shri R. K. Agarwal, Managing Director, Hi-Tech Chemicals (P) Ltd., Jamshedpur, Jharkhand against the editor, Prabhat Khabar, Jamshedpur, Jharkhand. (14/138/10-11)
18. Complaint of Mohd. Noor Hussain, State President, Gonda, Jharkhand against the editor, Prabhat Khabar, Ranchi, Jharkhand. (14/113/10-11)
19. Complaint of Shri Biswajit Pattnaik, Angul (through advocate), Orissa against the editor, Samay, Bhubaneswar, Orissa. (14/513/10-11)
20. Complaint of Smt. Hajiyani Neelofar Khanam, W/o haji Mohd. Ayub Khan, Ex-MLA, Katabanji, Balangir, Odisha against the editor, Samaya, Oriya Daily. (14/628/10-11)

Inquiry Committee-II Meeting held at Varanasi on 23-24.7.2013

21. Complaint of Shri Suresh Chandre Johri, Eye Consultant, District Joint Hospital, Bijnor, Uttar Pradesh against the editor, Royal Bulletin, Muzaffarnagar, Uttar Pradesh. (14/567/09-10)
22. Complaint of Shri Amarkant Singh, District Basic Shiksha Adhikari, Gonda, Uttar Pradesh against the editor, Amar Ujala. (14/266/09-10)
23. Complaint of Shri Rituraj Shukla, Kapil Ganga T.V and Shri Ashok Kumar Shukla, Aabkari, Aabkari Director, U.P. against the editor, Bismilla Saptahik, Gorakhpur, U.P. (14/519/09-10)
24. Complaint of Shri Rajesh Kumar, District - Rambahi Nagar, Uttar Pradesh against the editor, Dainik Bhaskar, Ranchi, Jharkhand. (14/422/10-11)
25. Complaint of Mohd. Taiyab Palaki, Municipal Corporation, Mau, U.P. against the editor, Brahmlakhani, Mau, Uttar Pradesh. (14/622/10-11)
26. Complaint of Shri Santosh Kushwaha, District Incorporator or others. Banda, Uttar Pradesh against the editor, Rashtriya Sahara, Kanpur, Uttar Pradesh. (14/506/10-11)
27. Complaint of Shri Abhishek Kumar, Meerut, Uttar Pradesh against the editor, Dainik Jagaran, Meerut, Uttar Pradesh. (14/429/10-11)
28. Complaint of Shri Upender Kumar Agarwal, Superintendent of Police, Mainpuri, Uttar Pradesh against the editor, Dainik Jagran, Kanpur, Uttar Pradesh. (14/333/10-11)
29. Complaint of Shri Upendre Kumar, Superintendent of Police, Mainpuri, U.P. against the editor, Hindustan, Mainpuri, Uttar Pradesh. (14/466/10-11)
30. Complaint of Shri Dinesh Kumar, Atrauli, Aligarh against the editor, Dainik Jagran, Aligarh, Uttar Pradesh. (14/176/10-11)
31. Complaint of Smt. Neelam Dubey, Farukhabad, U.P. against the editor, Dainik Jagran, Kanpur, U.P. (14/393/11-12)
- 32-35. Complaint of Shri Akhtar Rashid, Gold Medalist, Bhadohi, U.P. against the Editors (i) Hindustan (ii) Dainik Jagran (iii) Rashtriya Sahara (iv) Dainik Aj. (14/267-270/11-12)
36. Complaint of Shri Dilip Singh, Management Director, Zalilpur Kisan Sewa Sehkari Samiti Ltd., Bijnor, U.P. against the editor, Chingari Visphot Ki, Bijnor, U.P. (14/671/11-12)
37. Complaint of Shri Bramha Shanker Tripathi, Cabinet Minister of Uttar Pradesh, Village and Post Piprajham, Kushi Nagar, U.P. against the editor, Tehalka (Fortnightly Magazine), New Delhi. (14/510/12-13)

38. Complaint of Smt Vimla Devi, Correspondent, Political Science and Reader, Department of Political Science, MD - Inter College, Jabalpur, Ambedkarnagar, U.P. against the editor, Mulnivasi, Nayak, Lucknow, U.P. (14/512/11-12)
39. Complaint of Dr. Izaz Ahmed, Bareilly, U.P. against the editor, Hindustan, Bareilly, U.P. (14/384/10-11)
40. Complaint of Shri Ashok Kumar Vaila, Saharanpur, U.P. against the editor, Hindustan, Meerut, U.P. (14/158/11-12)
41. Complaint of Shri Anoop Shramik, Human Rights Activist and Member of District SC/ST Monitoring and Vigilance Committee, Varanasi, U.P. and Shri Vijaya Pratap, Journalist, New Delhi against the editor, Rashtriya Sahara, Varanasi. U.P. (14/242/12-13)
42. Complaint of Shri Omkar Rana, (the then District Basic Education Officer, Banda), presently in Allahabad Education Secretariat against the editor, Dainik Aaj, Kanpur, U.P. (14/685/11-12)

Inquiry Committee-I Meeting held at New Delhi on 22-23.8.2013

43. Complaint of Shri Davendra Verma, Deputy Director General (PI), Government of India, Ministry of Statistics & Program Implementation, New Delhi against the Editor, Dainik Jagran, Delhi. (14/484/11-12)
44. Complaint of Shri Devendre Prasad Joshi, Hardoi, Uttar Pradesh against the Editor, Hindustan, Kanpur, Uttar Pradesh. (14/512/10-11)
45. Complaint of Shri Sachianandan Sharma, Bhagalpur, Bihar against the editor, Dainik Hindustan, Bhagalpur, Bihar. (14/424/10-11)
46. Complaint of Shri Shiv Kumar Sav, Bazirganj, District - Gaya against the Hindustan, Uttar Pradesh. (14/378/10-11)
47. Complaint of the Joint Commissioner of Police (Crime), Detective Department, Kolkata Police Force, Kolkata against the editor, Sangbad Pratidin, Kolkata. (14/488/10-11)
48. Complaint of Md. Abdul Khaleque, MLA, Jania Constituency, Barpeta, Assam against the editor, Asomiya Pratidin. (14/170/10-11)
49. Complaint of Shri Subhra Sankar Laskar, Office of the Block Development Officer, Junior Engineer Grade - I, Tripura against the editor, Dainik Ganadoot, Atartala West Tripura. (14/132/10-11)
50. Complaint of Shri Shyam Pal, Urbashi Medical Hall, Tripura against the editor, Tripura Times, Agartala, Tripura. (14/324/10-11)
51. Complaint of Shri Dhiraj Singh, Director, (M&C), Government of India, Ministry of Commerce and Industry, New Delhi against the editor, India Today, New Delhi. (14/352/11-12)
52. Complaint of Shri Parag Srivastav, Jaipur, against the editor, Dainik Bhaskar, Jaipur. (14/282/11-12)
- 53-54. Complaints of Shri Chandra Prakash Arya, Branch Manager, State Bank of India, Abu road, Rajasthan against the editors, (i) Abu Newspaper (ii) Samagra Rajasthan, Abu road, Rajasthan. (14/708-709/11-12)
55. Complaint of Shri Mahesh Chand Sharma, Meerut, U.P. against the editor, Dainik Janvani, Meerut, U.P. (14/184/11-12)

56. Complaint of Shri Tarbabu, Police Sub Inspector, Gautambudh Nagar, U.P. against the editor, Dainik Supreme News, Gautambudh Nagar, U.P. (14/161/11-12)
57. Complaint of Shri Vikas Sharma, Aurangabad, Bihar against the editor, Prabhat Khabar, Patna, Bihar. (14/188/11-12)
58. Complaint of Dr. Javed Chowdhary, Prof. & HOD Pediatrics & Medical Superintendent, G.B. Pant Cannt. Gen Hospital, Srinagar against the editor, The Daily Rising Kashmir, Srinagar, J& K. (14/662/11-12)
59. Complaint of Dr. Kamal Kishore Singh, DIG of Police, (A.D.) (C.I.D), Bihar, Patna against the editor, Times of India, Hyderabad. (14/283/11-12)
60. Complaint of Shri Shyam Sunder Gupta, Darbanga, Bihar against the editor, Dainik Jagran, Muzaffarpur, Bihar. (14/684/11-12)
61. Complaint of Shri Rajesh Daga, Associate Vice-President (Sales Co-Ordinator), Electrosteel Castings Limited (ECL), Kolkata (West Bengal) against the editor, Statesman, Kolkata. (14/125/11-12)
62. Complaint of Shri Arun Rishi, West Garo Hills, Meghalaya against the editor, the Tura Times, Meghalaya. (14/314/11-12)

Inquiry Committee-II Meeting held at New Delhi on 19-20.9.2013

63. Complaint of Dr. L.N. Sarkar, Registrar, Lakshmibai National University of Physical Education, Shakti Nagar, Gwalior, Madhya Pradesh against the editor, Raj Express, Gwalior, M.P. (14/626/10-11)
64. Complaint of Mohmad Nadeem, Chhindwara, M.P. against the editor, Dainik Jabalpur Express, Chhindwara, M.P. (14/376/11-12)
65. Complaint of Dr. Yadu Lal, New Delhi against the editor, Hindustan Times, New Delhi. (14/710/10-11)
66. Complaint of Shri Ravinder Dwivedi National President, Anti-Corruption Committee, Thane against the editor, Pratidin, Midnapur, West Bengal. (14/77/09-10)
67. Complaint of Shri Bajireddy Goverdhan, Member, Central Governing Council, YSR Congress party, Hyderabad against the editor, Andhra Jyothi, Hyderabad. (14/578/11-12)
68. Complaint of Shri Venkatram Srinivasan, Chennai against the editor, Andhra Jyothi. (14/281/12-13)
69. Complaint of Associated Broadcasting Company Limited, Hyderabad against the editor, Sakshi, Hyderabad, A.P. (14/514/11-12)
70. Complaint of Ch. Tirumala Prasad, Hyderabad against the editor, Namasthe Telangana. (14/320/11-12)
71. Complaint of Smt. Rajkumari Kapoor, Allahabad, U.P. against Editor, Amrit Prabhat, Allahabad, U.P. (14/193/11-12)
72. Complaint of Shri Juthi Prasad Singh, Principal, Government Middle School, Latehar, Jharkhand against the editor, Dainik Bhaskar, Ranchi. (14/62/11-12)

73. Complaint of Shri Pawan Kumar Sharma, S.H.O., Chandigarh, P.S. Bagpat against the editor, Dainik Jagran. (14/234/11-12)
74. Complaint of Shri Gulzar Hussain, Kanshiram Nagar, U.P. against the editor, Dainik Jagran. (14/264/11-12)
75. Shri Rahul Jain, District Programme Manager, District Khargaon, M.P. against the Bureau Chief, Dainik Jgran, Khargon M.P. (14/223/11-12)
76. Complaint of Shri Jaswant Singh, Superintendent of Police(City), Dehradun, Uttrakhand against the editor Shivalik Blitz, Dehradun, Uttrakhand. (14/634/11-12)
77. Complaint of Shri P.C. Srivastava, Advocae, Supremem Court of India, New Delhi agianst the editor, The Times of India, New Delhi. (14/562/12-13)
78. Complaint of Shri Ramlal Jat, Jaipur, Rajasthan against the editor, Rajasthan Patrika, Jaipur, Rajasthan. (14/375/11-12)

Inquiry Committee-I Meeting held at New Delhi on 28-29.10.2013

79. Complaint of Dr. Punjabrao Deshmukh, Krishi Vidyapeeth, Krushinagar, Akolo, Maharashtra against the editor, The Times of India, Nagpur. (14/471/10-11)
80. Complaint of General Secretary, Popular Front of India, Kalindi Kunj, New Delhi against the editor, Dainik Jagran, Meerut. (14/146/12-13)
81. Complaint of General Secretary, Popular Front of India, Kalindi Kunj, New Delhi against the editor, Dainik Jagran, Delhi. (14/150/12-13)
82. Complaint of Shri Ajit Kumar, Convenor, Kisan Mazdoor Vikas Manch, Bihar, Patna, against the editor, Dainik Hindustan, Patna, Bihar. (14/129/10-11)
83. Complaint of the Secretary, Jharkhand Academic Council (JAC), Ranchi, Jharkhand against the editor, Hindustan, Ranci, Jharkhand. (14/274/11-12)
84. Complaint of Shri H.C. Pradhan, General Manager (Admn. & Corp. Communication), NALCO, Bhubaneswar against the editor, Daily News & Analysis' (DNA), New Delhi. (14/396/11-12)
85. Complaint of Shri Badal Chatterji, Special Secretary, Agriculture, Government of Uttar Pradesh, APC Branch (The then Information Director, U.P.) Lucknow against the editor, Nishpaksh Pratidin. (14/112/12-13)
86. Complaint of Dr. Kamleshwar, Agarwal, Raipur (Chhatisgarh) against the editor, Jagat Vision, Bhopal, M.P. (14/375/12-13)
87. Complaint of Shri Girija Shankar Jaiswal, Varanasi, U.P against the editor, Dainik Jagran, New Delhi. (14/50/12-13)
88. Complaint of Sandeep Kumar Verma, Chief Train Ticket Examiner, Northern Railway, Haridwar, Uttrakhand against the editor, Dainik Jagran, Dehradun, Uttrakhand. (14/221/12-13)
89. Complaint of Shri Sandeep Kumar Verma, Chief Train Ticket Examiner, Northern Railway, Haridwar, Uttrakhand against the editor, Hindustan, Dehradun, Uttrakhand. (14/216/12-13)
90. Complaint of M/s. Mother Dairy Fruit & Vegetable Pvt. Ltd. (through the General Manager (Legal & CS), Noida, U.P. against the editor, DNA, Mumbai (14/176/12-13)
91. Complaint of Shri Sohan Lal, District Mandi, Himachal Pradesh against the editor, Ajit Newspaper, Jalandhar, Punjab. (14/339/12-13)



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Sl. No.1

Shri Prabodh Jamwal

Publisher

The Kashmir Times, H/D

Jammu

F.No.13/100/11-12-PCI

The Director

DAVP

New Delhi

vs.

### Adjudication

This undated complaint received in the Secretariat of the Council on 13.12.2011 has been filed by Shri Prabodh Jamwal, Publisher, The Kashmir Times, Hindi daily against the Directorate of Advertising and Visual Publicity, New Delhi for illegal and unjustified stoppage of advertisements to The Kashmir Times. The complainant has submitted that the primary objective of the Government in advertising is to secure the widest possible coverage of the intended content or message through newspapers and journals and the DAVP is the nodal agency of the Government of India for advertising by various Ministries and organizations of Government of India including public sector undertaking and autonomous bodies. The complainant has stated that The Kashmir Times has a large circulation in all the parts of the State and elsewhere. The circulation of The Kashmir Times, Hindi daily was 71,813 in the year 2009-10 and 71,814 in the year 2010-11. He has stated that The Kashmir Times has been a duly empanelled newspaper for release of advertisements by the DAVP. The DAVP has been releasing advertisements to The Kashmir Times on regular basis. The complainant has stated that the DAVP issued advertisement covering 1,25,910.00 column centimeter amounting to Rs. 27,40,795.00 in the financial year 2010-2011 to The Kashmir Times. The complainant has stated that since April 20, 2011 the DAVP has completely stopped releasing of advertisements to The Kashmir Times without communicating any reason for the same. The complainant has stated that it has been reported in Mail Today issue dated October 26, 2011 that the Union Home Ministry and more than 30 other ministries and government agencies has issued directions to the DAVP to not to release any advertisements to some newspapers including The Kashmir Times. The report quotes an unnamed official of the Union Home Ministry alleging that the newspapers with anti-national agenda will not be given any government support. The complainant has stated that stoppage of advertisements by the DAVP is flagrant violation of the Advertisement Policy of 2007, which has been adopted for the purpose since October 2007. The complainant has submitted that according to the said policy, The Kashmir Times is required to be considered in the priority category in terms of its clause 6. The complainant has submitted that the action of the DAVP stopping release of advertisements in an illegal and arbitrary manner directly affects freedom of the press.

The matter was placed before the Inquiry Committee on 1.4.2013. Shri P. L. Uniyal, Bureau Chief, Kashmir Times appeared for the complainant while none appeared for the respondent.

Report of the Inquiry Committee

The matter again came up before the Inquiry Committee on 15.7.2013 at New Delhi. None appeared from either side. The Inquiry Committee noted that notice has been served on the complainant and none appeared from either side, despite calling the parties twice, it recommended to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 2

F.No.13/101/11-12-PCI

ShriPrabodhJamwal  
Publisher  
Jammu Prabhat  
Jammu

vs.

The Director  
DAVP  
New Delhi

### Adjudication

This undated complaint received on 13.12.2011 has been filed by ShriPrabodhJamwal, Publisher, Jammu Prabhat a Dogri daily against the Directorate of Advertising and Visual Publicity, New Delhi alleging illegal and unjustified stoppage of advertisements to Jammu Prabhat. The complainant has submitted that the primary objective of the Government in advertising is to secure the widest possible coverage of the intended content or message through newspapers and journals and the DAVP is the nodal agency of the Government of India for advertising by various Ministries and organizations of Government of India including public sector undertaking and autonomous bodies. The complainant has stated that The Jammu Prabhat has a large circulation in all the parts of the State and elsewhere. The circulation of Jammu Prabhat was 32,213 in the year 2009-10 and 46611 in the year 2010-11. He has stated that Jammu Prabhat has been a duly empanelled newspaper for release of advertisements by the DAVP which has been releasing advertisements to it on regular basis. The complainant has stated that the DAVP issued advertisement covering 61,806.00 column centimeter amounting to Rs. 8,98,371.00 in the financial year 2010-2011 to Jammu Prabhat. However since April 20, 2011 the DAVP completely stopped releasing of advertisements to Jammu Prabhat without communicating any reason for the same. The complainant stated that it had been reported in Mail Today issue dated October 26, 2011 that the Union Home Ministry and more than 30 other ministries and government agencies has issued directions to the DAVP to not to release any advertisements to some newspapers including Jammu Prabhat. The report quotes an unnamed official of the Union Home Ministry alleging that the newspapers with anti-national agenda will not be given any government support. The complainant has stated that stoppage of advertisements by the DAVP is flagrant violation of the Advertisement Policy of 2007, which has been adopted for the purpose since October 2007. The complainant has submitted that according to the said policy, Jammu Prabhat is required to be considered in the priority category in terms of its clause 6. The complainant has submitted that the action of the DAVP stopping release of advertisements in an illegal and arbitrary manner directly affects freedom of the press.

Shri N.V. Reddy, Director, Government of India, Ministry of Information and Broadcasting, Directorate of Advertising and Visual Publicity vide his letter dated 4.1.2012 informed that the Jammu Prabhat, published from Jammu is being used suitably for release of Government advertisements keeping in view the publicity requirement and availability of funds. The DAVP has not stopped the release of Government advertisements to Jammu Prabhat as claimed by the complainant.

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The matter was placed before the Inquiry Committee on 1.4.2013. Shri P. L. Uniyal, Publisher, Jammu Prabhat appeared for the complainant while none appeared on behalf of the respondent. Depicting the absence of DAVP, the Inquiry Committee adjourned the matter.

Report of the Inquiry Committee

None appeared from either side at the next hearing. The Inquiry Committee noted that since notice has been served to the complainant and none appeared from either side and also of fact that complainant had not countered the association of DAVP.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 3  
ShriPrabodhJamwal  
Publisher  
The Kashmir Times, E/D  
Jammu

vs.

F.No.13/122/11-12-PCI  
The Director  
DAVP  
New Delhi

### Adjudication

This undated complaint received in December, 2011 has been filed by ShriPrabodhJamwal, Publisher, The Kashmir Times, English daily against the Directorate of Advertising and Visual Publicity, New Delhi for illegal and unjustified stoppage of advertisements to The Kashmir Times. The complainant has submitted that the primary objective of the Government in advertising is to secure the widest possible coverage of the intended content or message through newspapers and journals and the DAVP is the nodal agency of the Government of India for advertising by various Ministries and organizations of Government of India including public sector undertaking and autonomous bodies. The complainant has stated that The Kashmir Times has a large circulation in all the parts of the State and elsewhere. The circulation of The Kashmir Times (Jammu and Kashmir editions) was 1,99,387 copies and 75,000 copies in the year 2009-10 and 2,38,910 copies and 74,653 copies in the year 2010-11 respectively. He has stated that The Kashmir Times has been a duly empanelled newspaper for release of advertisements by the DAVP which has been releasing advertisements to The Kashmir Times on regular basis. The complainant has stated that the DAVP issued advertisement covering 1,97,114.00 column centimeter amounting to Rs. 42,45,314.00 in the financial year 2010-2011 to The Kashmir Times Jammu edition and its Srinagar edition was issued advertisements covering 1,00,191.00 column centimeters amounting to Rs. 23,88,263.00. The complainant has stated that since April 20, 2011 the DAVP has completely stopped releasing of advertisements to The Kashmir Times without communicating any reason for the same. The complainant has stated that it has been reported in Mail Today issue dated October 26, 2011 that the Union Home Ministry and more than 30 other ministries and government agencies has issued directions to the DAVP to not to release any advertisements to some newspapers including The Kashmir Times. The report quotes an unnamed official of the Union Home Ministry alleging that the newspapers with anti-national agenda will not be given any government support. The complainant has stated that stoppage of advertisements by the DAVP is flagrant violation of the Advertisement Policy of 2007, which has been adopted for the purpose

since October 2007. The complainant has submitted that according to the said policy, The Kashmir Times is required to be considered in the priority category in terms of its clause 6. The complainant has submitted that the action of the DAVP stopping release of advertisements in an illegal and arbitrary manner directly affects freedom of the press.

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Shri N.V. Reddy, Director, Directorate of Advertising and Visual Publicity vide his letter dated 26.4.2012 has informed that DAVP has taken up the matter with the Ministry of Information and Broadcasting and would file its reply based on the direction of the Government.

The matter was placed before the Inquiry Committee on 1.4.2013. Shri P. L. Uniyal, Publisher, Kashmir Times appeared for the complainant while no one appeared on behalf of the respondent. Depicting the absence of DAVP, the matter was adjourned.

**Report of the Inquiry Committee**

The matter again came up before the Inquiry Committee on 15.7.2013 at New Delhi. None appeared from either side. The Inquiry Committee noted that since notice has been served to the complainant and there has been appearance from either despite calling the matter twice, it recommended to the Council to dismiss the case for default.

**Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



भारतीय प्रेस परिषद  
PRESS COUNCIL OF INDIA

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Sl. No. 4		File No.13/141/10-11-PCI
ShriGovind Singh Bagdawat		Smt. RekhaRathore
Correspondent	vs.	SDM
SanjhaLokswami		Susnair,M.P.
Susnair, M.P.		

### Facts

This complaint dated 31.12.2010 has been filed by ShriGovind Singh Bagdawat, Correspondent, SanjhaLokswami, M.P. against Smt. RekhaRathore, SDM, Susnair and presently Dy. Collector Sajapur (M.P.) for alleged harassment meted out on him due to publication of a news-item under the caption “चोरों के डर से चंदन के पेड़ काटे” in the issue of his newspaper dated January 5, 2010 and also for disclosing the illegal activities carried out in her Bungalow through a news-item in its issue dated 2.11.2010 under the caption “एसडीएम बंगले पर बिजली चोरी!”. Annoyed with these news-items the respondent filed a false FIR against the complainant u/s 294,451 & 34 IPC. The complainant was arrested on 28.12.2010 but granted bail on 30.12.2010. The complainant submitted that he drew the attention of the higher authorities to the activities of the respondent but in vain. The complainant vide his letter dated 18.4.2012 has informed that the Court had set him free on 29.3.12 from the false allegations. He alleged that action of the corrupt SDM violated the norms of Journalistic Ethics and the action of the respondent tantamount to curtailment of freedom of press.

### Comments

Smt. RekhaRathore, SDM. Susnair and presently Dy. Collector Sajapur (M.P.) vide her comments dated 27.9.2012 has submitted that the complainant published the news-items many times to pressurize the officials but it did not affect her. As a conspiracy, he published distorted news-items repeatedly based on malicious facts due to frustration.

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi.

### Report of the Inquiry Committee

The Inquiry Committee heard the parties. Complainant Shri Govind Singh Bagdawat appeared in person. Shri M.K. Batav, Under Secretary, MP Administration, Bhopal, Smt. Rekha Rathore, Deputy Collector, District Dhar and Shri Sohan Kanash, Deputy Collector, Shazapur appeared on behalf of the respondent.

Having heard the parties, the Inquiry Committee noted that the complaint of the petitioner is that a false FIR was registered against him of which already he was acquitted. The Inquiry Committee is of the view that the prayer for damages against false FIR does not lie within the domain of the Press Council of India and Civil Courts are the appropriate forum for it. Therefore with direction to the respondent to ensure that the complainant was not harassed in discharge of his journalistic duties, it recommended to the Council to dismiss the complaint.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 5

F.No.13/30/11-12-PCI

Sh. Naresh Khattar,  
Chief Editor, Daurti Delhi,  
New Delhi

vs.

Sh. Suresh Malik, Chairman,  
ShriSanatan DharamMandir  
(SaatManzilaMandir), Tilak Nagar,  
New Delhi & Police Authorities,  
Delhi.

### Adjudication

This complaint dated 15.5.2011 has been filed by ShriNareshKhattar, Chief Editor, Daurti Delhi, New Delhi against Shri Suresh Malik, Chairman, ShriSanatan DharamMandir (SaatManzilaMandir), Tilak Nagar, New Delhi and Police authorities for threatening to implicate him in a false case due to publication of critical writings. The complainant has submitted that he published news item under the caption “*Tilak nagar mein brashtachaaro kaa bolbala*” in its issue dated 20.4.2011 against one Shri Suresh Malik who after taking money from the shopkeepers allowed them to extend the space of their shops in front of temple. The complainant has alleged that annoyed with the critical news item the respondent abused and threatened him when he was covering a prayer meeting in the hall of temple on 26.4.2011. The complainant has apprehended that, after this incident, some mysterious person used to stalk him. The complainant has stated that he informed/complained to the SHO, PS-Tilak Nagar, Delhi to take action against Shri Suresh Malik but to no avail. A letter to the Commissioner of Police on 26.4.2011 with a request to provide security to him and his family members brought no result. The complainant also sent a letter to Shri Malik on 29.4.2011 requesting him to stop repetition of such incidents in future. The complainant apprehended danger to his life.

Shri Suresh Malik, Chief Editor, UdayPrakash weekly, and Chairman, ShriSanatanDharam Mandir vide written statement dated 25.8.2011 while denying the allegations of the complainant has stated that the allegations made by him are completely false and baseless. The respondent has alleged that the complainant was unnecessarily harassing him by lodging complaints against him for no reasons. The respondent has also denied the allegations of threats to the complainant.

ShriDevenderArya, IPS, Addl. Dy. Commissioner of Police vide comments dated 17.5.2012 has stated that an enquiry into the matter has been got conducted through ACP/Tilak Nagar. The statement of the complainant was recorded that he has not received threatening call from Shri Suresh Malik. He has further submitted that presently the complainant ShriNareshKhattar is living peacefully along with his family. He stated that no action is required at this stage.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi. Shri Naresh Khattar appeared in person. Shri Rajender Singh, ACP/PG Cell, West District and Shri Aditya, Sub-Inspector, Police Station Tilak Nagar appeared on behalf of the respondent.

The Inquiry Committee heard both the parties. It noted that the complainant has alleged that he has been threatened by the Additional Deputy Commissioner of Police to implicate him in a false case due to publication of critical writings. While the respondent Addl. Deputy Commissioner of Police vide letter dated 17.5.2012 has informed upon inquiry that no threat is given to the complainant and his family members but they are living peacefully. This has not been denied. In view of the above statements the Inquiry Committee recommended the Council to dismiss the complaint.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.





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Sl. No. 7

F.No.13/26/10-11-PCI

Shri Bacchulal Diwedi,  
Tiwari,  
Editor, Khiri Kranti Darshan,  
Mohammedi Khiri, U.P.

vs.

1. Shri Omprakash  
Advocate.  
2. Police authorities.

#### Adjudication

This complaint dated 31.5.2010 has been filed by Shri Bacchulal Diwedi, Editor, Khiri Kranti Darshan (Weekly), Mohammedi Khiri, U.P. against Shri Om Prakash Tiwari, Advocate and his wife Smt. Archana Tiwari for threats following various critical publications against the respondent exposing their irregularities and misdeeds on different dates and inaction of the police authorities. Annoyed over cited reports, the respondent tried to pressurize the complainant to publish the contradiction of the news items but when he refused to publish the same, the respondent threatened him and his family members. He complained to the police orally as well as in writing but no action has been taken by them. According to the complainant, the respondent filed a defamation case in the local court of law to demoralize him. He further alleged that the respondent in connivance with the police filed a false case No. 830/010 against him and his two brothers u/s 147, 148, 149, 307, and 504 of IPC. The complainant vide letter dated 2.6.2010 drew the attention of the Secretary (Home) Government of Uttar Pradesh, Superintendent of Police, Lakhimpur Khiri, Director General of Police, Lucknow and other higher officials.

#### Comments of Omprakash Tiwari

The respondent Shri Om Prakash Tiwari, Advocate vide letter dated 3.9.2010 stated that a case No. 222/010 was registered against the complainant on 15.7.2010 in the court of law u/s 82 of IPC in which he was granted the bail and the case is still pending. He also stated that if he threatened the complainant why did he not give specific date on which he threatened him and why not legal action against him. It is therefore evident that the complainant has filed a false and baseless complaint. He further stated that the complainant has a criminal record and as Shri Vinod Tiwari, a police official is a friend of the complainant, no legal proceeding has been initiated against him and his family members by the local police. He also stated the complainant has filed this complaint in a rivalry against him.

#### Reply of the Superintendent of Khiri

Shri R. K. Bharadwaj, Superintendent of Police, Khiri vide letter dated 30.9.2010 forwarded the investigation report of the Circle Officer, Khiri in which it was stated that the police officials found illegal arms and ammunition from the site of incident and on the basis of the information received from their sources, they have registered a case against

the complainant's brother and other accused which is pending in the court of law. It was further stated that as the complainant and his brother's name was involved in the case, the complainant has filed this complaint to protect his brother.

-2-

#### Reply of District Magistrate

The District Magistrate, Khiri vide his letter dated 30.1.2012 has submitted that it is not feasible to decide the matter on the basis of the investigation report of the Circle Officer which reported that the matter was under investigation by the C.B.C.I.D.

#### Counter Comments of the Complainant

The complainant vide letter dated 22.12.2010 stated that the comments given by Shri Om Prakash Tiwari are completely false and baseless. He alleged that the respondent was intentionally trying to malign his image in a public at large. He further denied his involvement or his brother's involvement in the allegedly fake case registered by the police.

#### Hearing before the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.2.2013 at New Delhi. Shri Bachchulal Diwedi appeared in person while Shri Omvir Singh, Addl. S.P. Kheri, Shri Krishna Kumar Sharma, S.I. and Shri Asheesh Tiwari appeared for the respondents and filed their reply affidavit. The Inquiry Committee noted that the complainant filed documents at the time of hearing and states that due to critical writings the respondents threatened him to face dire consequences. The complainant also alleged that his life and the lives of his family member is in danger due to fear of the respondent and his colleagues. A copy of the documents was served on the respondent. The Inquiry Committee granted one month's time to the parties to file his reply.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. Shri Bachchulal Diwedi, the complainant appeared in person. Shri Nitish Singh, Circle Officer (Line) appeared for the respondent.

The Inquiry Committee heard both the parties. It noted that the complainant had alleged various forms of harassment meted out to him by the police authorities. The Inquiry Committee is of the opinion that in a democracy while the police can certainly take legal action against anyone as per law, they needs to ensure that there is no event on Court harassment.

Accordingly, the Inquiry Committee disposed of the complaint with the direction to the Superintendent of Police, Lakhimpur Khiri, to ensure security against the harassment of the complainant in future and to ensure his safety. It also directed Shri Nitesh Singh, C.O. (Line), Lakhimpur, Khiri to communicate this order to the Superintendent of Police, Khiri.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the matter as per above.



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Sl. No. 8

F.No.13/120/10-11-PCI

Shri Kanahiyalal Vishvakarma,  
Chief Editor,  
Bundelkhand Suvarta (Monthly),  
Lalitpur, U.P.

vs.

The Police authorities and  
Anti-Social elements,  
Lalitpur, U.P

#### Adjudication

This complaint dated 30.10.2010 has been filed by Shri Kanahiyalal Vishvakarma, Chief Editor, Bundelkhand Suvarta (Monthly) against the police officials and anti-social elements for threatening to kill him due to critical publication under the caption **“handpump ko kshati pahuchane ki koshishe (English Translation- Attempt to damage the hand pump)”** in its issue dated 26.9.2010 concerning the destruction of the hand pump of Nehru Nagar by the local strong man. The complainant stated that he has also written a letter to the District Magistrate on 26.10.2010 on this matter of hand pump due to which an investigation was initiated by the Water Department which in turn warned to Shri Ratan Singh in the matter. Annoyed with this, the respondent threatened him.

#### Reply of Superintendent of Police, Lakhimpur

The Superintendent of Police, Lalitpur vide letter dated 12.4.2011 stated that Shri Vipul Kumar Shrivastava, Superintendent of Police, Sadar submitted his investigation report dated 19.3.2011 stating that it was found that a case No. 236/10 was registered and pending in the civil court of Lalitpur against the complainant which is about the fight for the plot 637/2. The respondent stated that the report did not confirm the allegations levelled in the complaint.

#### Complainant's counter

The complainant vide letter dated 4.5.2011 stated that despite the orders passed by the District Magistrate to SDM for investigation in the matter, the respondent again threatened him on 29.4.2011. He stated that the same was reported to the SDM on the phone but till date no action has been taken against them.

The complainant vide letter dated 28.5.2011 stated that the comments submitted by the respondents are completely false and fake and produced before the Council just to save the respondent Shri Ratan Singh and his accomplice police officials. He stated that the investigation in the matter of hand pump was done by the Deputy Superintendent of Police on the site itself and by interrogating both the parties. He alleged that the respondent began abusing him after the DSP left the place and the same was reported to the DSP on his mobile. He further stated that the investigation report of the Circle Officer, Sadar was completely false and fabricated as the statements produced in the report are

based on the statements of investigation report of Ex C.O. Shri B.P. Singh dated 26.1.2011 and 25.2.2011 which is far from the truth.

-2-

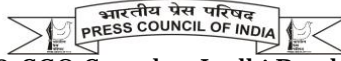
### Report of the Inquiry Committee

Following one adjournment of 19.2.2013, the matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. Shri Kanahiyalal Vishvakarma, the complainant appeared in person. Shri G.L. Shukla, SDM, Meherauni, Lalitpur and Shri Anil Sirohi, Circle Officer, Meherauni, Lalitpur appeared for the respondent police authorities.

The Inquiry Committee heard both the parties. It noted the complainant's allegation of being harassed by local strong man and the police authorities, which has been denied by the respondents. The Inquiry Committee on the facts and circumstances of the case decided to dispose of the case with the direction to the Superintendent of Police to ensure that the complainant is not harassed in discharge of his journalistic duties though actions can be taken in accordance with law. The case is disposed off accordingly.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the matter.



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Sl. No. 9

F.No.13/131/10-11-PCI

Shri Om Prakash Verma  
Editor, Ratriman, Hindi Daily,  
Behraich, U.P.

vs.

The Inspector In-charge,  
Behraich, U.P.

### Adjudication

This complaint has been filed by Shri Om Prakash Verma, Editor, Ratriman (Hindi Daily), Behraich against the Inspector In-charge, Nanapara Police Station, Behraich for allegedly threatening and implicating him in a false case, who came to his office with their team and suggested to him not to publish the news story on the death of one, Naseem. As the complainant refused and published the news impartially, aggrieved the respondent began beating him and registered a false case against him u/s 151/107/116 of I. P. C. and sent a challan to the S.D.M., Nanapura. The complainant sent letter dated 9.12.2010 to the Chief Minister, Chief Secretary (Home) and Director General of Police, Government of U.P., Lucknow seeking action.

### Comments of Government of Uttar Pradesh

Deputy Secretary, Uttar Pradesh Government, Lucknow vide his letter dated 19.10.2011 forwarding copy of the letter of Superintendent of Police, Behraich dated 6.10.2011, denied the allegations levelled by the complainant. It was stated in the investigation report of Deputy Superintendent of Police that the complainant's house itself is the Head Office of his newspaper and presently no newspaper was being published. They further clarified that they have arrested the complainant not due to critical publications but because of misbehaving and abusing them in another case during the investigation.

The matter came up for hearing before the Inquiry Committee on 19.2.2013 at New Delhi. None appeared for the complainant. Shri J.P. Tiwari, Shonanpara, Beharich, U.P. appeared for the respondent. The Inquiry Committee noted that the notice had yet not been served on the complainant and also on Shri Suresh Ram Suman, Inspector-in-Charge currently posted at Police Station Panchfedwa, District, Balrampur, Uttar Pradesh. The notice to the parties only mentioned Inspector-in-charge, Bahraich, Uttar Pradesh. It adjourned the matter for service of notice.

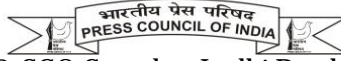
### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared for the complainant. Shri Suresh Ram Suman, District, Balrampur appeared for the respondent.

The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 10

File No. 13/129/10-11-PCI

Shri Lokesh Kumar Gupt,  
Journalist, Amar Ujala,  
Lakhimpur, Khiri, U.P.

Shri Rakesh Kumar,  
Sector Magistrate,  
U. P.

#### Adjudication

This complaint dated 14.10.2010 has been filed by Shri Lokesh Kumar gupt, Journalist, Amar Ujala, Lakhimpur, U.P. for harassing/abusing by the Sector Magistrate during the coverage of Panchayat Elections. The complainant stated that his camera was taken away by the Sector Magistrate when he was capturing the pictures of the persons who were standing in the queue of voting who abused him despite having the press card for election coverage issued by the officer in -charge (Elections). The complainant served a copy of the complaint to the Chief Secretary (Home), U.P., District Magistrate, Electoral Office and Superintendent of Police on 14.10.2011 for necessary action.

The Superintendent of Police, Khiri vide his comments dated 1.7.2011 submitted that an investigation was conducted by the Circle Officer, Gola and it was found in the report that the camera on the journalist was taken by the security guard when the journalist tried to click photographs without permission but later on it was returned to the journalist after the election.

The Additional District Magistrate, Khiri vide his comments dated 8.11.2011 has submitted that an investigation was conducted by the Circle Officer, Gola and the complainant has no grievance now against the Sector Magistrate.

The matter came up for hearing before the Inquiry Committee on 19.2.2013 at New Delhi. None appeared for the complainant. Shri Omvir Singh, S.P. Khiri and Shri Rakesh Kumar, Assistant Engineer, Lakhimpur Khiri appeared for the respondent. The respondent stated that the complainant had no ID Proof during voting time. Moreover, the complainant had settled the case. The Inquiry Committee noted that the complainant is not present while the respondent is present. A letter has been received from the complainant stating that he is unable to attend the hearing due to some family and health problems and particularly when he is in financial crisis. The Inquiry Committee perused the letter and directed the State Government to pay the travelling expenses to the complainant for next hearing.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. Whereas the complainant was not represented, Shri Rakesh Kumar, Assistant Engineer,

Irrigation Department and Shri Nitish Singh, Circle Officer (Line), Lakhimpur, Khiri appeared for the respondent.

The Inquiry Committee noted that there was no appearance on behalf of the complainant nor had any reason been intimated for non appearance. It thus recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the complaint.



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Sl. No. 11

F.No.13/172/10-11-PCI

Shri Mahesh Chander Verma,  
Editor, Jwala Ke Saath,  
Mahamayanagar, U.P.

vs.

Superintendent of Police,  
District-Mahamayanagar,  
Uttar Pradesh.

S.H.O.,  
Chamdgate Police Station,  
Mahamayanagar (U.P.)

#### Adjudication

This complaint dated 19.2.2011 has been filed by Shri Mahesh Chander Varma, Editor, Jwala Ke Saath, Hindi Weekly, Hathras against Police Authorities alleging that due to publication of critical news item against the police authorities under the caption “**chauki ki naak ke neeche ho raha hai avaidh karobaar kya SP dhyaan denge**” in its issue dated 27.1.2011, Station House Officer of the Chamdgate, Shri Dinesh Kumar Singh, threatened him over the telephone on 28.1.2011 of dire consequences and being implicated him in false case. The complainant further stated that on 29.1.2011 he has given written complaint in this regard to the Superintendent of Police, Mahamayanagar. The complainant further stated that on 15.2.2011 S.H.O. again threatened him and he published this news in the issue of 17.2.2011.

#### Comments of Superintendent of Police, Mahamayanagar

The Superintendent of Police, Mahamayanagar vide his comments dated 14.6.2011 submitted that the matter was inquired by Circle Officer, Mahamayanagar and found that many complaints have been received against the complainant for extortion of money and he filed this complaint and published false and baseless allegations against the Station House Officer, Shri Dinesh Kumar Singh just to pressurize police authorities so that they could not take any action against him. The respondent declined incidents of illegal acts or graft charges.

#### Complainant's Counter

The complainant denied the allegations levelled by the respondent. He has submitted that other newspapers of the area also published the news items regarding misdeeds of the police. The complainant submitted that he has published a news item on 1.9.2011 under the caption “**garibo ke kerosene se chal rahi hai namkeen factoriya**” Due to publication of the impugned critical news item the Sub-Divisional Magistrate ordered to destroy his

registered office and looted computers, Printer, Rim and 10 thousand rupees from his office, he has given written application in this regard to the Superintendent of Police but no action has been taken by them.

-2-

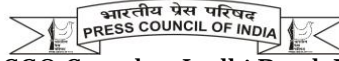
#### Report of the Inquiry Committee

Following one adjournment of 19.2.2013 where none appeared, the matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. Again none appeared for the complainant. Shri P.D. Gautam (D.G.C.R.) on behalf of Collector Hatras and Shri R. S. Chander, Circle Officer, District Hatras appeared for the respondent.

The Inquiry Committee noted the absence of the complainant and recommended the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 12

F.No.13/6/11-12-PCI

Shri Nihaal Hussain,  
Chief Editor, Sab Pe Nazar,

vs.

Additional District Magistrate  
& Police authorities,  
Muradabad, U.P.

### Adjudication

This complaint dated 11.4.2011 has been filed by Shri Nihaal Hussain. Chief Editor, Sab Pe Nazar, Muradabad, U.P. against Additional District Magistrate & police authorities for implicating him in a false case by filing a false FIR, sent him to jail being aggrieved over critical publications. The complainant stated that in the issue dated 24.3.2010, he named the respondent in a critical news item due to which S.D.M., City has filed a false FIR against him rely on a false incident with a motive to threaten him. The complainant apprised the matter to the D.G.P, Chief Secretary (Home) and Chief Minister's Administration upon which D.G.P. ordered an investigation through Anti Corruption Department, U.P. Administration. It was found that Ex. S.H.O. Pankaj Tyagi, Deputy-Inspector Shamshuddin and three others were guilty and a criminal case No. 195/10 u/s 384 of I.P.C. was registered against them.

### Comments of authorities of Muradabad

Shri Shamshuddin, Deputy Inspector, Muradabad vide comments dated 22.6.2011 has stated that the police has stopped the illegal earning of the respondent editor of the newspaper from the betting business and other illegal business and annoyed with this he had published the news item in this newspaper. He further alleged that the editor is aggrieved against all the officers as in 2008 the police had arrested 7 stabbers, 10 Narcotics criminals and 8 Bettors (Sattebaaz) which resulted into stoppage of his illegal earning. He alleged that the editor is involved in extorting money from public showing the power of his newspaper and does not let enjoy a good reputation in the society.

Shri Pankaj Tyagi, Deputy Inspector, Muradabad vide undated comments received on 30.6.2011 stated that Shri Lal Baabu Yadav had registered a complaint on 16.3.2010 with Additional District Magistrate charging the complainant and his brother Shri Dilshad Hussain with extorting money from him . The respondent further stated that when an investigation was conducted by Area Police Officer, Katghar, all the allegations were found to be true and in response, a case No. 195/10 u/s 386 was registered against the complainant and his brother. He also stated that when the complainant could not manage to extort money from them, he has published the misleading and false news item in his newspaper.

Shri Avneesh Kumar Sharma, Additional District Magistrate (City), Muradabad in his comments dated 29.6.2011 denied the allegations levelled by the complainant. The respondent alleged that the complainant had published the false news item to malign his image and to grab the government advertisements by blackmailing the officers. He further alleged that the complainant is involved in yellow journalism.

-2-

Deputy Inspector General of Police, in his comments dated 12.7.2011 addressed to Deputy Secretary, Lucknow with endorsement to the Press Council of India has stated that the investigation was conducted by the Superintendent of Police, Muradabad and it found that a complaint was registered by Shri Lal Babu Yadav against Shri Nihaal Hussain and Shri Dilshad Hussain for extortion of money from him. It was further stated that on 5.4.2010, the complainant was arrested and sent to jail while the name of Shri Dilshaad Hussain was found incorrect. He further stated that the complainant in order to prove him right, requested the Anti Corruption Bureau to make an enquiry in the matter. On the basis of the report of the Anti Corruption Bureau, a departmental enquiry was initiated u/s 14(1) against Deputy Inspector, Shri Pankaj Tyagi.

Additional District Magistrate in his comments dated 27.1.2011 reiterated the comments above.

Deputy Secretary, U.P. Administration, Lucknow vide letter dated 16.8.2011 stated that in the investigation report of Deputy Inspector General of Police, the allegations of implicating the complainant in false cases were found to be true and the matter is sub-judice in the Court.

#### Counter Comments of the complainant

The complainant vide letter dated 20.3.2012 stated that a case against him which was registered in Police Station Galshaheedis is sub-judice in the Hon'ble Court AMH II, Muradabad. He further stated that the respondents intentionally registered a case against him.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. Shri Nihaal Hussain, Editor, Sab Pe Nazar, the complainant appeared in person. Shri Shansuddin, Inspector, District Rampur, U.P. and Shri Pankaj Kumar Tyagi, Sub-Inspector, Police Station New Mandi, Muzaffarnagar appeared for the respondent.

The Inquiry Committee heard both the parties and noted that matter is sub-judice. It also perused the Order of the UP Public Service Tribunal in petition No. 1215/2012 decided on 6.2.2013 stating that the complainant has been approaching several forums against Shri Pankaj Tyagi. The Inquiry Committee observed that this Council is not the appropriate forum to go into the matter. It therefore decided to dismiss the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 13

F.No.13/21/11-12-PCI

Dr. Neeraj Kumar  
Journalist

Naya Kya Hai

Barot, Baghpat , Uttar Pradesh.

vs

Shri Ramji Lal

S.O.G. (Special Operation Group) Incharge

District Baghpat, Uttar Pradesh.

#### Adjudication

This complaint dated 23.5.2011 has been filed by Dr. Neeraj Kumar, Journalist, Naya Kya Hai, Hindi Weekly, Baghpat, Uttar Pradesh against Shri Ramji Lal, Incharge, Special Operation Group, Baghpat for allegedly harassing and abusing him. The complainant has submitted that on 13.5.2011, when he and his colleague, Shri Amir were discussing about a news at his clinic, the respondent reached there with team and Shri Amir and another journalist to Police Station under the garb of an enquiry. The complainant submitted that he enquired the matter from the Police Station and the respondent released Shri Amir on 15.5.2011 after taking bribe amount to Rs. 70,000/- from his family. The complainant has alleged that the respondent deliberately harassed, misbehaved and threatened to implicate him in false case, to cover up his blackmailing tactics. The complainant apprehended danger to his life. The complainant made written complaint to the Welfare Association and the Deputy Superintendent of Police was also apprised of the incident but to no avail. The complainant has not published any critical news-item he alleged that the respondent was very much annoyed with the print and electronic media due to highlighting his misdeeds and used to harass the journalist when ever he got any chance.

#### Report of District Magistrate and the Superintendent of Police, Baghpat

The District Magistrate and Superintendent of Police, Baghpat vide their reports dated 25.8.2011 and 17.10.2011 informed the Council that after investigation of the matter, it has been found that the complainant filed his complaint to put pressure on the respondent for release of his colleagues. But the Deputy Secretary, Government of U.P. vide his letter dated 20.3.2012 has submitted that Inspector General of Police, Meerut range had got the investigation in the matter through S.P. (Traffic), Meerut and found the respondent S.O.G., Shri Ramji Lal guilty of taking bribe of Rs.70,000/- and detaining the complainant's colleagues illegally in police custody. He has further stated that the S.P. Baghpat has been directed to take action as per rule and inform the final outcome.

#### Counter Comments of the Complainant

The complainant vide letter dated 3.10.2012 has submitted that he is not satisfied with the statement of the respondent. Further, the government authorities are under the influence of the S.O.G, Ramji Lal and the referee hesitate to take any action against him.

-2-

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. Dr. Neeraj Kumar, Reporter, Naya Kya Hai, the complainant appeared in person. Shri Gautam Singh Yadav, Tehesildar, Janpad, Bagpat appeared for the respondent.

The Inquiry Committee heard both the parties. The Inquiry Committee carefully perused the complaint and held that the matter raised issues that were beyond the scope and objectives of the Press Council Act. It thereafter recommended to the Council to dismiss the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case.



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Sl. No. 14

F.No.13/76/11-12-PCI

Mohd.Akram

Journalist

Bhrashtachar Kyon  
elements

Moradabad, U.P.

vs.

1. Police Authorities

2. Anti-social

#### Adjudication

This undated complaint received on 3.10.2011, has been filed by Mohd. Akram, Journalist, Bhashtrachar Kyon, Hindi Weekly, Moradabad, U.P. against police authorities alleging harassment and threat by anti-social elements. According to the complainant, he exposed their misdeeds by publishing in his newspaper under the captions “**Thana dilari S.O. kaa garib janta par atyachar: vardi me gumrah hai bedai S.O.**” and “**thana dilari me pradhano kaa bolbala, thana prabhari ki avaidh kamai charam seema par**” in its issues dated June 28-July 4, 2010 and September 27-October 3, 2010. The complainant has alleged that the anti-social elements travelled in the vehicles of police authorities under their protection. In this connection, the complainant visited the Police station, Dilari in Moradabad and enquired about the relations between them. The SHO threatened to kill him and to face dire consequences. The respondent further warned the complainant that if he desired to live peacefully, he must speak to Shri Danvir Singh, S.I. who apprised him that the SHO is bold officer and the anti social took shelter under his wings. The complainant has alleged that it is an attack on freedom of press and the action of the respondent tantamounts to curtailment of freedom of press.

The Additional District Magistrate (City), Moradabad vide letter dated 17.2.2012 informed that Dy. IGP, Moradabad conducted an inquiry and stated in its report dated 14.2.2012 recommended that the allegation levelled by the complainant was found to be false and incorrect. Many cases were registered against the complainant in the police stations and allegations of yellow journalism have also been levelled against him.

#### Reply of Superintendent of Police Moradabad

The Superintendent of Police, Moradabad vide letter dated 14.4.2012 informed that an enquiry conducted by the SP (Rural) Moradabad, reported on 13.4.2012 that the complainant is pressuring the SHO, Dilari for removing the names of some suspects from the cases pending for consideration. Many cases are also registered against the complainant in the police stations. The allegations levelled by the complainant have been found to be false and incorrect and could not be proved after investigation.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. Mohd. Akram Khan, the complainant appeared in person. Shri Ramesh Singh Punia, District Magistrate, Rajkumar Sharma, Sub-Inspector and Danvir Gaur, Sub-Inspector, PTS, Meerut appeared for the respondent.

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The Inquiry Committee heard both the parties. The Inquiry Committee noted that the complainant has alleged that he has been harassed by the police authorities for critical publication in his newspaper. The Inquiry was also conducted by the police authorities found the allegation levelled by the complainant to be false and incorrect. This was not countered by the complainant. The Inquiry Committee therefore finds no merit in the case and decided to dismiss the case.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 15

F.No.13/158/11-12-PCI

Shri Vinod Kumar Kudheshiya,  
Chief Editor, Dreamland,  
Farukhabad, U.P.

vs.

Shri Haridas Verma,  
S.H.O., Fatehghadh,  
Farukhabad, U.P.

### Adjudication

This complaint dated 27.2.2012 has been filed by Shri Vinod Kumar Kudheshiya, Chief Editor, Dreamland, Farukhabad against Shri Haridas Verma, SHO, Fatehghadh, Farukhabad for allegedly implicating him in a false case being annoyed with his critical writings. The complainant stated that he had published a news item in its issue of October, 2011 of his magazine which resulted in transfer of the respondent from his place of posting. The news item represented an incident of a road accident that occurred in September, 2011 whereby the respondent forcefully controlled the crowd and also opened fire at the crowd in which one person died. He further alleged that the respondent being annoyed with this report not only threatened the complainant but also registered a false FIR against him and others under section 147/341/188 IPC on 19.2.2012 in Fatehghadh Police Station. He also stated that he reported this to senior officers for necessary action but no action was taken in this regard.

### Comments of Superintendent of Police, Fatehghadh

Shri N. Choudhary, Superintendent of Police, Fatehghadh vide his comments dated 3.11.2012 has stated that an investigation was conducted by Shri V.K. Singh, Area Officer, Fatehghadh and the name of the complainant was not found in the case.

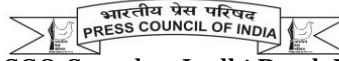
### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. None appeared for the complainant. Shri Yogender Pal Singh, Dy. S.P. appeared for the respondent.

The Inquiry Committee noted that the complainant did not wish to pursue the matter and had given a letter dated 22.7.2013 to that effect requesting to withdraw the complaint as his implication was found false and the police authorities have personally apologized. It therefore decided to allow to the complaint be withdrawn.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint as withdrawn.



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Sl. No. 16

F.No.13/75/11-12-PCI

Shri Prabhakar Shukla  
Chief Editor  
Detective Media  
Kushinagar, Uttar Pradesh

Shri Sanjay Singh  
vs.

Block Development Officer  
District Kushinagar, Uttar Pradesh.

#### Adjudication

This complaint dated 7.9.2011 has been filed by Shri Prabhakar Shukla, Chief Editor, Detective Media, Kushinagar, U.P. against Shri Sanjay Singh, Block Development Officer. The complainant charged the respondent with use of unparliamentary language on August 12, 2011. The complainant has submitted that he met the B.D.O. and inquired about the stoppage of advertisements to the newspapers. The B.D.O. replied that 'public funds are not meant for squandering and money making and they should arrange them from their own pockets' (English translation). The complainant alleged that issuance of advertisements on Independence Day Celebrations and congratulatory messages for martyrs cannot be termed as squandering of public funds. He has alleged that statement of the respondent not only affected the freedom of Press but resulted in revenue loss to the press due to non-transparent procedure followed by the public representative in granting advertisements.

The District Magistrate, Kushinagar forwarded the written statement dated 29.2.2012 along with copy of the letter dated 24.2.2012 of B.D.O. and submitted that the B.D.O. expressed his inability to issue advertisements to the complainant due to non-availability of fund. The respondent denied the allegation of stoppage of advertisement to the complainant and using unparliamentary language.

The complainant vide letter dated 30.4.2012 has submitted that the comments of the respondent are false and one sided.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. Shri Prabhakar Shukla, the complainant appeared in person. Shri Sanjay Singh, BDO, District Bahriach appeared for the respondent.

The Inquiry Committee heard both the parties. The Inquiry Committee noted that while advertisement release has been done in keeping with a defined policy due decorum should be maintained in dealing with the public. It decides to disposed off the complaint with the direction to the respondent to refrain from using unacceptable language.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the complaint.



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Sl. No. 17

F.No.13/140/11-12-PCI

U.P. Journalist Association, Hathras  
Press Club, Hathras.  
Indian Human Right Association, Hathras.

vs.

SHO, Mahamayanagar,  
Police Station, Hathras.  
U.P.

### Adjudication

This complaint has been filed by (1) U.P. Journalists Association, Hathras (2) Press Club, Hathras, and (3) Indian Human Rights Association, Hathras against the police authorities of Hathras. The complainants have stated that when the Ballot Boxes of UP Legislative Assembly Elections 2012 were to be taken out from MG Polytechnic, Hathras on 27.2.2012, some police officials were found playing cards with truck drivers and when S.P., Shri Ashok objected the trouble began and the issue got blown out of proportion. He further stated that when some media persons (Shri Darmendra Kumar Singh- Reporter ETV, Shri Rajesh Singhal - Reporter AAJ TAK, Shri Suraj Maurya - Reporter P7 NEWS, Shri Vinod Sharma- Photographer HINDUSTAN, Shri Vijender Kumar- Reporter C NEWS) reached there to cover that incident, the police authorities of Hathras began assaulting them and also damaged their motorbikes and cameras.

The Superintendent of Police, Mahamayanagar vide his letter dated 13.4.2012 has stated that the matter was investigated by the Circle Officer, City, Hathras, who filed his report on 12.4.2012. It was stated in the report that the incident of assault occurred on 27.2.2012 during UP Legislative Elections- 2012 and a case No. 104/12 under section 147/148/149/307/341/336/352/323/504/506/427 IPC, 7 Cr.Law Act, 29 Police Act has been registered by SHO, Kotwali Hathras against 200-250 unknown police guards and Home Guards, which is under investigation. In this regard, S/Shri Rajesh Singhal , Dharmendra Kumar Singh, Vinod Sharma, Suraj Morya, Sandip Kumar Jain, Dheeraj Singh, Navin Kulshershta , Ghanshyam Singh, Ankur Sharma, Pramod Kumar, Kamal Kishore lodged FIRs in PS Kotwali Hathras. The DM, Mahamayanagar vide his order dated 2.3.2012 directed magisterial enquiry of the incident which is under process.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. Shri Praveen Vashniye, District President, Human Right Commission and Shri Gaurav Aggarwal, Advocate appeared for the complainant. Shri P.D. Gautam, DGC (R), Hathras, Shri J.K. Jain, Deputy Collector, District Hathras and Shri R.S. Chahuhan, Circle Officer (City), Hathras appeared for the respondent.

The Inquiry Committee heard both the parties. It noted that this complaint reveals a very serious violation of the freedom of press by the police authorities of Hathras where reporters were targeted for doing their duty. It noted that journalists covering the incident were chased and assaulted by the police authorities of Hathras who beat them up and broke their cameras, etc which is undemocratic. The Inquiry Committee held this act to be highly objectionable, thus totally unacceptable, conduct of the police authorities, violated the freedom of press granted under the Article 19(1)(a) of the constitution.

Accordingly, the Inquiry Committee allowed the complaint and **admonished, deprecated and censured** the conduct of authorities of the concerned public authorities. It further directed the respondent to replace the cameras and other items which the Hathras police damaged and give suitable compensation to the journalists concerned. It also directed that the Council be informed about the action taken by the respondent in pursuance of this order.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to direct action as above.



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Sl. No. 18

F.No.13/26/12-13-PCI

Shri Nizamuddin Siddiqui,  
Editor, Salaam Banda,  
Banda, U.P.

vs.

Shri Virender Singh  
alias Mullu Kakka,  
Mining Mafia,  
Banda, U.P.

SHO, Kotwali Police  
Station, Banda, U.P.

#### Adjudication

This complaint dated 23.4.2012 has been filed by Shri Nizamuddin Siddiqui, editor, 'Salaam Banda', Banda, U.P. against Shri Virender Singh alias Mullu Kakka, Mining Mafia, Banda, U.P. for threatening to kill him, annoyed over the critical publication against them in his newspaper. The complainant has stated that Shri Virender Singh and his gang members threatened to kill him on 2.2.2012 for continuous publication of news articles related to illegal mining in his newspaper and added that he had reported the incident to the Kotwali Police Station in writing. He also submitted that after reading the article, the District Administration raided the illegal places of the mining mafia and being annoyed with this, Shri Virender Singh attacked to kill him on 8.4.2012. He had reported about this incident too but the police did not react and nor took any action against them. He sent again a letter to the Superintendent of Police, Banda on 10.4.2012 but no action has been taken.

The respondent District Magistrate, Banda vide comments dated 9.8.2012 denied the allegations levelled by the complainant and stated that no concrete proof against the allegation was received from the report of Superintendent of Police, Banda dated 7.8.2012 and Zonal Officer, Banda dated 18.7.2012. The Zonal Officer (City), Banda reported that the complainant filed this complaint before Press Council as Shri Virender Singh prevented him from taking Baalu (a type of sand) from his land.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. None appeared for the complainant. Shri Uday Shankar Jaiswal, S.P., Banda appeared for the respondent.

The Inquiry Committee noted that none appeared on behalf of the complainant, and recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 19

F.No. 13/42/12-13-PCI

Shri Mahavir Jain,  
Editor, Dainik Maruleher,  
Barmer, Rajasthan

vs.

(i) Shri Mevaram Jain,  
MLA, Barmer,  
Rajasthan.

(ii) Police Authorities,  
Barmer, Rajasthan.

#### ADJUDICATION

This complaint has been filed by Shri Mahavir Jain, Editor, Dainik Maruleher, Rajasthan against Shri Mevaram Jain, MLA, Barmer for implicating him in a false case through a conspiracy with the help of Police Officials for publication of critical writings in his newspaper. The complainant has stated that he published many news items in his newspaper against the MLA and his colleagues related to their corruption and also filed four different PIL against them in the Rajasthan High Court, Jodhpur which are pending in the Court and because of this, the respondent had put pressure on the police officials to implicate him in a false case and threatened to destroy him. He further stated that he was arrested by the police officials on the false FIR made by the respondent MLA and locked up in police custody for about 20 days for no reason.

The District Superintendent of Police, Barmer and respondent MLA Mevaram Jain vide their response verified dated 12.3.2013 and dated 3.3.2013 have stated that the complaint is false and baseless. It was also stated that there were many criminal cases registered against the complainant under Gonda Act and many different persons filed different complaints against him in the police stations out of which some are pending. Moreover on 15.6.1994, the District Magistrate cancelled the publication of his newspaper and the complainant in response filed an affidavit in the Press Council of India that he will not do any type of blackmailing and will not publish wrong news item in future.

The complainant vide his counter comments dated 15.3.2013 has stated that the comments filed by the respondents are completely false, baseless and misleading as no case was pending against him in any court of law. He alleged that the respondents under a conspiracy filed false cases against him which were being decided in favour of him. He further stated that the respondent filed a complaint in I&PRD, Rajasthan on the basis of FIR No. 255/12 due to which all types of advertisements were banned for his newspaper on 18.9.2012 without any investigation and prior notice. The complainant challenged this in Rajasthan High Court and the Court on 9.3.2013 gave stay order on the decision of I&PRD dated 18.9.2012. He further stated that he himself filed a PIL No. 9730/11 against the respondent Shri Mevaram Jain, MLA which is pending in the Court.

### Hearing

The matter first came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi. Shri Umender Dadich, State President, Rajasthan Journalist Association, Jaipur and Shri Mahavir Jain appeared for the complainant. None appeared for the respondent. The Inquiry Committee heard the complainant's case that his newspaper has suffered and many cases were filed by the police under pressure of the MLA. The Inquiry Committee noted that the respondent MLA vide letter dated 8.7.2013 had informed that he would not be able to attend the hearing due to a marriage in the family. The Inquiry Committee considered the letter and decided to adjourn the matter for a month. It also directed the MLA and police authorities to appear at the next date of hearing.

### Report of the Inquiry Committee

The matter again came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi. Shri Mahavir Jain, the complainant appeared in person. Shri Mevaram Jain, the respondent appeared in person.

The Inquiry Committee heard both the parties. It noted that the grievance of the complainant is that the local authorities are harassing him in connivance with the MLA due to publication of critical reports. Also, many false criminal cases have been filed against him by the respondent. The respondent MLA contends that he is a habitual blackmailer and cases have been filed against him for many decades when he was not even in Barmer and in fact he was the victim at the hands of complainant.

The Inquiry Committee noted that these cases and counter cases are under courts consideration and decided not to go into the merits of the matter with this it decided to dismiss the complaint.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the complaint.



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Sl. No. 20

F.No. 13/150/10-11-PCI

Shri Murli Prathyaani  
Editor- Prabal Shristi  
Katni – Madhya Pradesh

vs

District Administration  
Katni- Madhya Pradesh

### **ADJUDICATION**

This complaint dated 21.1.2011 has been filed by Shri Murli Prathyaani, editor, Prabal Shristi, Katni, Madhya Pradesh against the District Administration of Katni, M.P. for harassment following publication of objectionable news item under the caption "***katni se Bangladsh jaa rahi Narcotics dawaaiyen – dawa vikreta sangh ke tatvavdhan mein chal raha gorakhdhanda***" in 21.5.2009. The complainant has alleged that after three months of the publication of this news item, the District administration and the police authorities made an investigation on the basis of false complaint lodged against him and issued a Show Cause Notice on 15.9.2009. Despite giving reply, the respondent issued a notice on 5.1.2011 and further again on 3.2.2011 asking him as to why action should not be taken against him and kept on pressurizing him for one-and-half-year on the forged complaint filed by the Dava Vikreta Sangh. The complainant has further alleged that he has been mentally harassed by the respondent due to which he faces many problems in publishing his newspaper regularly.

#### **No statement in reply from government of Madhya Pradesh**

Notice for Comments was issued to the Government of Madhya Pradesh on 7.3.2011 but no comments received from them despite issuance of reminder on 10.2.2012. Notice for Statement in Reply was also issued to the Government of Madhya Pradesh on 15.3.2012 but no comments received from them so far.

#### **Hearing before the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 22.12.2012 at Bhopal. Shri Murli Prithyani, editor-Prabal Shrishti and Shri Dileep Asrani appeared of Dava Vikreta Sangh. There was no appearance on behalf of the respondent ground. The Inquiry Committee heard the complainant and directed the Council to issue notice to the District Magistrate of Katni to file his report in the complaint within a month of which were conveyed to the parties on dated 5.3.2013.

#### **Report of the Inquiry Committee**

The matter again came up for hearing before the Inquiry Committee on 19.9.2013 at New Delhi. There was no appearance on behalf of the complainant but request to decide the case on merits. Shri Om Prakash Sanodiya, Dy. Collector, Katni, M.P. appeared for the complainant.

Hearing noted that the complainant request vide letter dated 17.9.2013 has to decide the case on the basis of the available records, the Inquiry Committee carefully perused the records of the case and noted that the allegation of the complainant that he has been mentally harassed because of same cases filed against him in court. The Inquiry Committee in its last meeting held on 22.12.2012 at Bhopal, directed the District Magistrate, Katni to submit its report. In response, the SDM, Katni submitted its report in which he has stated that the case itself was closed. The Inquiry Committee therefore holds the nothing to survives in the case further. It decided to dispose of the case accordingly.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose of the matter.



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Sl. No. 21.

Shri Lakshman Singh Maidh  
Editor, Rashtriya Chetna (Hindi Weekly),  
District Nagaur, Rajasthan

F.No. 13/150/9-10-PCI  
Dr. Surbhi Vashishth and  
Dr. Vinayak Gaur,  
Medical Officers,  
Government Hospital,  
Boravad, Nagaur.

### **ADJUDICATION**

This undated complaint received in the Secretariat of the Council on 22.2.2010 has been filed by Shri Lakshman Singh Maidh, Editor, Rashtriya Sahara (Hindi Weekly), District Nagaur, Rajasthan against Dr. Surbhi Vashishth and Dr. Vinayak Gaur, Medical Officers, Government Hospital, Boravad, District Nagaur alleging threats, harassment and manhandling him due to the publication of critical writings. The complainant has submitted that he had published news item captioned “**Boravad hospital ki vyavasthayen charmorai**” in his weekly on 5.2.2010 exposing the irregularities of the hospital. Annoyed with the publication the respondents threatened and asked him to publish the contradiction of the news. The complainant has submitted that he has requested the respondents to provide their contradiction in writing but the respondent abused him. The complainant further stated that on 10.2.2010 when he was covering the news at hospital, the respondent beat him and threatened with dire consequences. The complainant termed the action of the respondent as an assault on the freedom of the press. The complainant has submitted that he published the news item purely on the basis of the facts.

The respondents, Surabhi Vashishth(Gaud) & Dr. Vinayak Gaud vide their comments dated 20.2.2013 submitted that the complainant demanded illegal money to publish news in their favour when they refused to do so, he published the impugned news and threatened them. The respondent submitted that on 10.2.2013 when she was on duty at Medical Centre Borawad, District Nagaur and doing checkup of a pregnant lady the complainant tried to take photographs and enter in the labour room which was opposed by the relatives of the lady and also by the respondent. The complainant misbehaved with the respondent and used filthy language. The respondent made a complaint in this regard to the Women Commission, Jaipur, District Magistrate, Nagaur and also registered an FIR. The respondents further submitted that they were doctors and doing their duty with dedication, neither

they have any relation with any political leader, political party or any other person as complainant projected them as powerful. The respondent submitted that they never harassed, threaten or abused the complainant.

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### Comments

The respondent Deputy Secretary to the Government of Rajasthan vide his comments dated 19.2.2013 submitted that the incident was enquired by CMHO, Nagaur and according to the report the journalist tried to take photographs of the labour room and duty doctor asked the journalist to leave the labour room due to privacy reasons and journalist took it otherwise. The report also stated that Dr. Vinayak Gaur was on training at JLN Medical College, Ajmer so his presence at the hospital premises on the day of incident as per the complainant news item is wrong.

The Joint Director (Registration), Information & Public Relations Department, Rajasthan, Jaipur vide his comments dated 18.2.2013 submitted that the complainant was earlier President of Rajasthan Working Journalist Union, Nagaur and the newspaper Rashtriya Chetna is registered in the name of Shri Madhav Sharma since 20.10.1971 but at present the newspaper is not published from Nagaur. According to the respondent the complainant submitted that he has published the newspaper but no evidence was submitted by him. The respondent also submitted that at present the complainant worked for Dainik Navjyoti, Ajmer and Morning News, Jaipur as stringer, as per the statement of the complainant.

### Report of the Inquiry Committee

Following one adjournment of 20.2.2013, the matter again came up for hearing before the Inquiry Committee on 19.9.2013 at New Delhi. None appeared from either side.

The Inquiry Committee noted that there was no appearance from either side despite calling the case twice, and recommend to the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 22

F.No.13/88/10-11-PCI

Shri S. Maniraman,  
Editor,  
Thinaboomi, Tamil Daily,  
Madurai.

Government of Tamil Nadu,  
Vs. Chennai.

### **ADJUDICATION**

This complaint dated 30.7.2010 has been filed by Shri S. Manimaran, Editor, Thinaboomi, Tamil Daily, Madurai against Government of Tamil Nadu, Chennai alleging illegal arrest, torture and harassment of the complainant due to critical writing. The complainant has stated that his son also a journalist and has been working with him. After receiving a lot of complaints from the local public, his son investigated and unearthed a huge misappropriations in Granite Mining industry in Tamil Nadu which were reported in the newspaper on 20.7.2010 under the caption: “Rs. 1500/- crores value of stones were illegally mined, and the Collector is not taking any action.” The complainant alleged that annoyed with the publication, the President, Granite Quarry Owners’ Association connived with the district administration to register a false case under the IPC Section 241/10 w/s 341, 384, 387, 294b, 506(1) 392 r/w 500 IPC. According to the complainant on 21.7.2010 around 30 police personnel entered his home by jumping the compound wall and took him and his son away in a jeep without showing any arrest warrant. The police simply said that President, Granite Quarry Owners’ Association had filed a case against them. The police did not give him an explanation nor any copy of complaint petition. Next day the police took them to the Magistrate and remanded them at Central Jail of Madurai. When the complainant requested for the Magistrate to give him a copy of the complaint petition he refused to give and asked him to sign a document and not allow to read what was written in the document that was produced before the Magistrate. The complainant alleged that the police treated them like criminals in the jail. The complainant also stated that on 22.7.2010, on the Order of Chief Minister of Tamil Nadu, the police retained only 294(b) and 341 Sections and dropped other sections and they were then released on bail within 5 minutes. The complainant also alleged that the police made false report with the connivance of the President, Granite Quarry Owners’ Association. The complainant apprehended danger to his and his family life.

## **Comments**

The District Collector, Madurai denied the allegations levelled by the complainant and stated that neither Madurai District Administration directly/indirectly curtailed the freedom of press nor they have issued any order infringing the rights of the press in any manner for collection of news. The respondent further submitted that the incidents of criminal acts have nothing to do with the curtailment of freedom of press. He has reiterated that neither the freedom of press nor the constitutional rights were violated.

The Inspector General of Police, South Zone, Madurai in comments submitted that the complaint was sent to the Commissioner of Police, Madurai City for enquiry. In the enquiry report, the Commissioner of Police, Madurai City revealed that cases of Crime No.2412/2010 u/S 341, 324, 387, 394b, 506(i), 392 read with 511 IPC was registered against the complainant and three others. The respondent submitted that on the complaint of one Kumar, Proprietor, Palamuthircholai Fruits and Juice Stall Madurai, a case in Madurai City Thilagar Thidal Police Station Crime No. 1747/2010 u/S 387 and 506(ii) IPC was registered against the complainant and others for having threatened him to give advertisement to his newspaper and also demanded money. Further a Charge sheet was filed on 29.8.2010. The case was called on 21.12.2010 in Madurai Judicial Magistrate Court No.II. Further on the complaint of Shah, Fatima Arts and Science College, a case in Madurai City S.S. Colony PS Crime No.1043/2010 u/s 387 and 506 IPC. Another case in Madurai City Pudu PS Crime No. 1566/2010 u/S 384 and 506(i) was registered against the complainant and others on the complaint of Shankar, Proprietor, Saravana hotel, Madurai. The respondent further submitted that on the complaint of one K.L. Kumar, Temple City Hotel, Madurai a case in Madurai City Pudur Police Station Crime No.1567/2010 u/S 384, 501 and 506 was registered against the complainant for threatening them and demanded money. The respondent submitted that after receiving complaints from the public the cases were registered against the complainant and others and there is no motivation behind. The respondent has submitted that the complainant leveled false allegations against the police officials are only to escape for the clutches of law.

Following three adjournments of 27.2.2012, 27.8.2012 and 20.2.2013 the Inquiry Committee heard the matter on 5.4.2013 and expressed its unhappiness over the lack of remedial action by the Government and adjourn the matter.

## **Statement filed by The Principal Secretary, Home Department, Govt. of Tamil Nadu**

The Principal Secretary, Home Prohibition and Excise Department, Government of Tamil Nadu vide his statement dated 16.7.2013 submitted that at no instance has the freedom of speech and freedom of press of the complainant been violated and he has the highest regard and respect for the Hon'ble Council. The respondent submitted that the action of certain police officials were affected during the tenure of the previous government and the present government has never endorsed such actions and must not be held responsible for the same. The respondent further submitted that the present government has been aware and diligent in taking action against the erring officials and those involved in the said incident have been transferred from their postings.

The respondent also submitted that after the hearing on 5.4.2013 the complainant himself had tendered a letter for withdrawal of the present complaint and expressed his satisfaction and cooperation extended by the present government and requested the Council to dismiss the complaint as withdrawn and modify the order dated 5.4.2013.

### **Report of the Inquiry Committee**

The matter finally came up for hearing before the Inquiry Committee on 19.9.2013 at New Delhi. There was no appearance from the complainant side. S/Shri Subramonium Prasad, Addl, Advocate General, Abdul Saleem, Special Govt. Pleader for State of Tamil Nadu and S. Tnanabal, Assistant Commissioner of Police, Madurai City, Tamil Nadu appeared for the Respondent State Government of Tamil Nadu. The Inquiry Committee noted that after the order dated 5.4.2013 was passed and the proceedings before the Committee were closed, the complainant filed an application stating that he wishes to withdraw his complaint as his cause had been supported by the AIADMK which was an opposition on that time and was now running the government and protecting his rights as a journalist. Accordingly, the Inquiry Committee decided the case dismissed as withdrawn. All earlier orders passed in this case be recalled. It recommended to the Council accordingly.

### **Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case as withdrawn.



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Sl. No. 24

Shri Sanjay Bhati,  
Editor, Supreme News,  
Gautam Budh Nagar, U.P.

F.No. 13/136/10-11-PCI

The District Magistrate,  
Gautam Budh Nagar,  
U.P.

### **ADJUDICATION**

This complaint dated 27.12.2010 has been filed by Shri Sanjay Bhati, Editor, Supreme News, Gautam Budh Nagar, U.P. against the District Magistrate, U.P. alleging threats due to his critical writings against the respondent. The complainant stated that the respondent threatened him to have his newspaper shut down under PRB Act, 1867 u/s 8 B and had also written a letter to RNI on 24.5.2010. He alleged that the respondent abused him and used caste related word. The complainant apprehended danger to his life and family members from the respondent and has requested for security.

The District Magistrate, Gautam Budh Nagar vide letter dated 2.6.2011 submitted that RNI has issued a Show Cause Notice to the complainant on 11.11.2010 on the complaint of Dainik Jagran. In response the complainant informed that he has not violated any provision of the PRB Act, 1867 and thereafter the Show Cause Notice was cancelled. He further stated that the declarations of 28 newspapers who were irregular and upon which the editors did not take any interest in their publications were being cancelled which includes the newspaper Supreme News Hindi Monthly

and Hindi Quarterly respectively. The respondent further stated that the declaration of the Hindi Daily and Weekly Newspaper 'Supreme News' were not being cancelled as they were regular. The respondent informed that there was an internal dispute between the complainant and Dainik Jagran and he denied all the allegations levelled by the complainant.

The complainant vide his counter comment dated 5.1.2011 while denying the allegations levelled by the respondent stated that the respondent District Magistrate has no power to issue notice to anyone on the basis of any complaint under the PRB Act u/s 8 B. He also denied any detail about the complaint of Dainik Jagran in his Notice. The complainant alleged that the respondent issued a notice to him aggrieved over the critical publications published in his newspaper and not on the basis of the complaint filed by the Dainik Jagran.

#### Report of the Inquiry Committee

Following two adjournments of 19.2.2013 and 23.7.2013, the matter was placed before the Inquiry Committee on 20.9.2013 at New Delhi. Shri Sanjay Bhati, the complainant appeared in person. Shri Deepak Agarwal, SSP and Shri Anuj Choudhary, DSP appeared for the respondent.

The Inquiry Committee heard both the parties. It noted that the Show Cause Notice was withdrawn by the District Magistrate after getting response from the complainant. It, therefore, finds no merit in the case and decided to dismiss the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 25

F.No. 13/27/11-12-PCI

Shri Mohan Sharma,  
Editor, Rajasthani Chirag Daily  
and Kranti Bigul, Weekly,  
Bikaner, Rajasthan

The Commissioner,  
I&PRD, Jaipur,  
Rajasthan

### **ADJUDICATION**

This complaint dated 10.5.2011 has been filed by Shri Mohan Sharma, editor, Rajasthani Chirag Daily and Kranti Bigul Weekly, Bikaner, Rajasthan against the Commissioner, I&PRD, Jaipur, Rajasthan for violation of PRB Act. According to the complainant, the newspapers Rajasthan Pradeep Daily, Rajasthani Chirag Daily and Kranti Bigul Weekly had published a series of news items against the historysheeter and blackmailer Govardhan Singh and his gang. Annoyed with the critical news items, Govardhan Singh came to the office of the newspaper and started fighting. Thereafter, the editor has registered a FIR No. 44/2010 in Police Station, Bikaner on 21.2.2010 that led to heated debate on 25.3.2010 in Rajasthan Legislation where after the Police was directed to suppress the criminal activities of Goverdhan Singh. The complainant added that Govardhan Singh again implicated all three newspapers in a false case u/s 156(3) with the help of DAVP & DIPR whereby the Court ordered an investigation through ACB against the newspapers. It was also stated that all the three newspapers thereafter filed a Writ No. 1125/2010 in Rajasthan High Court, Jodhpur against the false and baseless case which is pending in the Court of Law. He further stated that despite this, the I&PRD, Rajasthan has stopped issuing advertisements to all the three newspapers u/s 17 of Rajasthan Advertising Policy 2001 without issuing prior notice to them. A four member team was formed on 21.6.2010 to investigate into the matter and the team found all the allegations against the three newspapers as false, baseless and misleading in its report dated 11.7.2010. As an effect of this, the Government advertisements were released again to all the three newspapers.

The complainant alleged that further under the pressure of Govardhan Singh, the I&PRD sent a letter to the RNI on 7.3.2011 for investigating the circulation of the above said three newspapers. He alleged that the I&PRD without waiting for the report of the RNI stopped issuing advertisements to the three newspapers on grounds of incorrect circulation.

The Commissioner and Administrative Secretary, DAVP, Jaipur vide letter dated 8.8.2011 has stated that they have stopped issuing advertisements to all the three newspapers viz. Rajasthan Pradeep Daily, Rajasthani Chirag Daily and Kranti Bigul Weekly after a case had been registered against them. But when the case was investigated by the ACB and it was found that the complaint filed by Govardhan Singh was false and baseless and they have released all the Govt. advertisements again to the three newspapers. He further stated that once again a complaint has been filed by Govardhan Singh to the State Minister, Information, Rajasthan. After getting the report, the State Minister has directed the I&PRD to cancel the registration of the newspapers and stop issuing advertisements to them. The respondent stated that they have also written to the RNI to enquire about the circulation of all the three newspapers on 7.3.2011 and to submit their report but no report has been received so far.

The complainant vide letter dated 22.9.2011 stated that he is being harassed by the I&PRD continuously, making the complaints of Govardhan Singh as the basis while all the time the complaints of Govardhan Singh found to be false and baseless.

#### Report of the Inquiry Committee

The matter was placed before the Inquiry Committee on 20.9.2013 at New Delhi. No one appeared for the complainant. Shri G.N. Bhatt, Additional Director, DIPR, Govt. of Rajasthan appeared for the respondent.

The Inquiry Committee noted that the Joint Director (Registration), I&PRD, Rajasthan, Jaipur vide letter dated 19.9.2013 informed the Committee that they have released/issued the accreditation to the complainant vide office Order No. 3272-79 dated 16.9.2013 and also started issuing advertisements to Dainik Rajasthan Pradeep, Rajasthani Chirag Daily and Kranti Bigul Weekly newspapers vide their U.O. Note dated 15.5.2013. It observed that as the matter is now settled, the complaint be dismissed.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 26

F.No. 13/25/11-12-PCI

Shri Shakti Pratap Singh,  
Local Correspondent,  
U.P  
Aaj, Hindi Dainik,  
Allahabad, U.P.  
Meza

vs. The S.H.O, Manda,  
District Allahabad,  
  
The Circle Officer,  
  
Allahabad, U.P.

### **ADJUDICATION**

This complaint dated 2.6.2011 has been filed by Shri Shakti Pratap Singh, local correspondent, Aaj, Allahabad against the SHO, Manda and the Circle Officer, Meza, Allahabad for harassment and attempt to implicate him in false case due to series of critical writings in its newspaper in April and May, 2011. The complainant has alleged that a false case No. 67/11 dated 1.6.2011 u/s 323/504 of IPC and under SC/St Act was registered against him and his family by the SHO, Manda and the Circle Officer, Meza. He further alleged that he has been threatened many times telephonically to stop critical publication against the police authorities. The complainant vide various letters sent a written complaint to the Deputy Director General of Police for necessary action but no action was taken.

#### **Comments of authorities**

The respondent Deputy Director General of Police, Allahabad vide letter dated 30.9.2011 stated that the matter was investigated by the Senior Superintendent of Police and in his report dated 5.9.2011 it was found that a case No. 67/11 u/s 323/504 of IPC and 3(1) – 10 under SC/ST Act was filed by Shri Shiv Shankar S/o Lalmani, Manda, Janpad against Shri Shakti Pratap Singh, Shri Rajeshveri Pratap Singh and others. The investigation in the matter was

certified by Shri Sangir Ahmad, Circle Officer, Meza whereby the name of Shri Rajeshwari Pratap Singh was found incorrect while the name of Shri Shakti Pratap Singh was found correct and enough evidence were produced in the Court in that case which is pending in the Court of Law.

#### Report of the Inquiry Committee

The matter is placed before the Inquiry Committee on 20.9.2013 at New Delhi. None appeared for the complainant. Shri Abhay Kumar Shrivastava, Sub-Inspector (on behalf of Circle Officer, Allahabad).

The Inquiry Committee noted that there was no appearance from the complainant despite calling the case twice nor had the respondents statement been countered. It recommend the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 27

F.No. 13/142/11-12-PCI

Shri Harjeet Dua  
Freelance Journalist  
Delhi

Dy. Commissioner of Police (East Delhi)  
Shalimar Park  
Shahdara, Delhi

SHO  
Krishna Nagar Police Station  
Delhi

Shri Dilbar Gothi  
Metro Editor

Navbharat Times  
Delhi

S/Shri Deepak Gothi

& Taj Gothi, Reporters

Bandematram Press  
Delhi

### **ADJUDICATION**

This complaint dated 18.2.2012 has been filed by Shri Harjeet Dua, Freelance Journalist, Delhi against Dy. Commissioner of Police (East Delhi) and SHO, Krishna Nagar Police Station, Delhi, Shri Dilbar Gothi, Metro Editor, Navbharat Times and his brothers S/Shri Deepak Gothi and Taj Gothi of 'Bandematram'. The complainant has alleged that when he was purchasing some goods from a stationery shop S/Shri Dilbar Gothi, Deepak Gothi and Taj Gothi threatened to kill him. The complainant has alleged that action of the respondents is a reprisal measure due to his complaint heard by Inquiry Committee of the Council for non-issuance of accreditation card to him. The respondent i.e. Shri Dilbar Gothi who is President of the Accreditation Committee, Delhi objected to issuance of accreditation card to the complainant and was misusing his position. Earlier, the complainant vide letter dated 21.22.2011 reported this incident to the Lt. Governor of Delhi and to Dy. Commissioner of Police (East) and SHO, Krishna Nagar but no action was taken by the concerned authorities against the accused

persons. The complainant apprehended danger to his life and termed the threats & inaction thereon as a threat to press freedom.

#### Comments of Police Authorities

The SHO, Krishna Nagar in his report dated 15.2.2013 has submitted that similar complaint was received and sent to ACP on 20.12.2011. It was found that the accused persons are running their own newspaper 'Vande Matram' and also working for Navbharat Times. No serious allegations were revealed against them and therefore, cognizance was not taken on the complaint.

The complainant vide E-mail dated 5.11.2012 has submitted that his provisional accreditation card is shortly expiring and requested the Council to issue him regular press card like other senior press reporter (freelance journalist).

#### Report of the Inquiry Committee

The matter is placed before the Inquiry Committee on 20.9.2013 at New Delhi. The complainant, Shri Harjit Dua appeared in person. Shri Neeraj, Advocate, Shri Rajiv R. Raj, Shri Ashok Kumar, Dy. Director, Department of Information & Publicity, Govt. of NCT of Delhi, Urmila Baniwal, AJO, Shri Amit Kumar Singh, ACP, Preet Vihar, Shri Yashvir Singh, SHO, Jagat Puri and Shri Dharmender Kumar, SHO, Krishna Nagar appeared for the respondent police authorities.

The Inquiry Committee heard both the parties. It noted that the allegation of the complainant is that when he was purchasing some goods from stationery shop the respondents threatened to kill him. It observed that the remedy for the complainant is that he should file a case regarding this u/s 156(3) of Cr. P.C. with the Magistrate. With this observation, it decided to dispose of the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the complaint.



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Sl. No. 28

F.No. 13/36/12-13-PCI

Shri Tapesh Kumar Basu  
Editor, Halfil Khabor  
Hooghly,  
West Bengal.

Director of Information  
Department of Information  
and Cultural Affairs  
Government of West Bengal  
Kolkata.

### **ADJUDICATION**

This complaint dated 24.5.2012 has been filed by Shri Tapesh Kumar Basu, Editor, Halfil Khabor, Hooghly against Director of Information, Department of Information and Cultural Affairs, Government of West Bengal regarding non issuance of Press Accreditation Card. He has submitted that all the guidelines according to PRB Act are adhered to properly by the publication and all issues are published perfectly till date. On 26.6.2011, he applied for Press Accreditation Card on a prescribed form through Department of Information and Cultural Affairs, Hooghly and submitted all documents but did not receive Press Accreditation Card from the authorities despite reminder dated 5.3.2012. He termed the action as prima facie an infringement of the freedom of press by the respondent.

#### **Comments of the Government of West Bengal:**

The Director of Information, Department of Information and Cultural Affairs, Kolkata vide letter dated 19.3.2013 has submitted that the application of the complainant was placed at the meeting of Press Accreditation Committee on 2.8.2012 which kept their decision pending in respect of the complainant to be again placed before the Committee in its next meeting.

#### **Report of the Inquiry Committee**

The matter came up for consideration before the Inquiry Committee on 20.9.2013 at New Delhi. None appeared for the complainant. Shri Prasenuit Das, Deputy Resident Commissioner & Deputy Director of Information, Govt. of West Bengal, New Delhi appeared for the respondent.

The Inquiry Committee noted that Shri R.N. Basu Roy Choudhury, Director of Information vide his letter dated 11.9.2013 had informed that the Press Accreditation Committee in its meeting dated 29.4.2013 recommended issuance of Press Card in favour of Shri Basu and a

press card No. PR (Hoogly) has been issued to Shri Basu. It noted the absence of the complainant and observed that as the press card issued to the complainant, the matter is now settled and therefore, it decided to dismiss the complaint.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 28

F.No. 13/84/12-13-PCI

Shri Mahavir Jain,  
Editor, Maruleher,  
Barmer, Rajasthan.

vs.

1. The Commissioner,  
Municipal Council, Barmer,  
Rajasthan.
2. The Director,  
Department of Local Bodies,  
Government of Rajasthan.
3. Chairman, Municipal Council,  
Barmer, Rajasthan.

### **ADJUDICATION**

This complaint dated 21.8.2012 was filed by Shri Mahavir Jain , Editor, Maruleher , Badmer, Rajasthan against 1) The Commissioner, Municipal Council, Barmer , Rajasthan, 2) The Director, Department of Local Bodies, Government of Rajasthan, Jaipur and 3) Chairman, Municipal Council, Barmer, Rajasthan alleging non-issuance of government advertisement as well as malafide with-holding of his advertisement bills. He alleged that the local authorities have stopped issuing advertisement to his newspaper for having published the articles related to the corruption rampant in the Municipal Council of Barmer and annoyed with PIL filed by him. He further stated that earlier they received advertisement regularly from the department but after the publication of news article, the department stopped issuing advertisement to his newspaper. Hewrote to the Director, Department of Local Bodies, Government of Rajasthan on 8.10.2012 regarding this, but received no response.

The Additional Director, I&PRD, Rajasthan, Jaipur vide his letter dated 28.2.2013 addressed to Commissioner, Municipal Council, Barmer and Director, Department of Local Bodies, Government of Rajasthan and endorsed to the Council

requested settlement of bills claimed by the newspaper as well as to release the advertisement and inform about the action to the Press Council at the earliest.

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi. Shri Mahavir Jain and Shri Umender Dadich, State President, Rajasthan Journalist Association, Jaipur appeared for the complainant. Shri Alok Shrivastava, Commissioner, Barmer, Shri G.N. Bhatt, Additional Director, DIPR, Govt. of Rajasthan appeared for the respondent.

The Inquiry Committee heard the parties. Whereas the complainant alleged non release of payment/stoppage of advertisements due to intervention of MLA, the respondent denied pendency of any dues. It noted that the respondent wanted to file an additional reply in the matter. It therefore, allows the respondent to file his reply and also directed him to serve a copy on the complainant. The complainant may file his counter reply within a month. With the above directions, it decided to adjourn the matter.

The matter again came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi. Shri Mahavir Jain, the complainant appeared in person. Shri Alok Shrivastava, Commissioner, Municipal Council, Barmer appeared for the respondent.

The Inquiry Committee heard both the parties. The respondent stated that they had received the bills of the complainant recently and they need time to clear the bills. Directing the respondent to clear the bills as early as possible, the Inquiry Committee adjourned the matter.

The Commissioner, Municipal Council, Barmer vide his letter dated 6.9.2013 informed the Council that the bills produced by the Complainant were found correct and payment was made to him vide Cheque No.056566 dated 4.9.2013. He also stated that now they are giving him advertisements as per rules and no case is pending now.

#### Report of the Inquiry Committee

The matter came up for fresh hearing before the Inquiry Committee on 28.10.2013 at New Delhi. Shri Gautam Chand Jain, Managing Editor appeared for the complainant while there was no appearance on behalf of the respondent.

The Inquiry Committee heard both the parties. It noted that there was no appearance for the respondent although notice has been served. The Inquiry Committee was informed by the petitioner that he has given a letter to the respondent that he is satisfied with the payment of bill and releasing of advertisements. But, the petitioner contended that thereafter he has not received advertisements regularly and only one advertisement was released by the respondent to his newspaper while other newspapers are getting Government advertisements regularly. The Inquiry Committee decided that the complaint had been resolved with the letter of settlement and in view of the fresh grievance, the Council may dispose off the matter with the direction to the respondent to consider the grant of advertisement to the complainant's newspaper in accordance with the rules prescribed in law.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose of the matter as above.



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SI No. 29

F.No. 13/150/11-12-PCI

Dr. Sajal Basu,  
Indian News Service,  
Kolkata

vs

Director,  
Information & Cultural Affairs Deptt.,  
Government of West Bengal,  
Kolkata.

### **ADJUDICATION**

This complaint dated 8.2.2012 has been filed by Dr. Sajal Basu, Indian News Service, Kolkata against Department of Information & Public Relation, Govt. of West Bengal alleging non-accreditation of Press cards. He has stated that in June 2011, Department of Information & Cultural Affairs, Govt. of West Bengal was asked for a list of Accreditation Card holders which they submitted and in November 2011 they have been asked to submit application forms with papers for renewal though the renewal period was not lapsed. In spite of that Dr. Sajal Basu and Anup Kumar Basu (another card holder in Kolkata, a veteran journalist) submitted completed forms on 17.11.2011. Despite all these, their cards have not been issued and also no reason was given on this. He further stated that on 25.10.2011, received a Govt. Notification No. 2791-ICA/11P(xii)-4-2008 which upheld that Veteran Journalists would be given Golden Accreditation Card which will not lapse and when they requested the Secretary, Department of Information & Cultural Affairs, Govt. of West Bengal to consider this they did not reply. He alleged that the concerned deptt. of Govt. of West Bengal has been arbitrary and vindictive since a long time as they neither replied nor communicated their decisions. The complainant sent a letter dated 16.1.2012 to the respondent but received no reply.

The Director of Information, Govt. of West Bengal, Kolkata in his comments dated 13.6.2012 and submitted that the Government took the decision to amend the previous West Bengal Press Representative Accreditation (Amendments) Rules 2008 and new rules entitled The West Bengal Press Representative Accreditation (Amendments) Rules 2011 are notified vide notification No. 2791-ICA dated 25.10.2011 in suppression of previous rules. He has stated that the above rules was uploaded in the West Bengal Government's Website and another notification No. 2818-ICA dated 31.10.11 was issued for granting fresh new-look Press Accreditation Card. He further stated that the complainant along with Shri Anup Kumar Basu has submitted the applications which were placed before the Press

Accreditation Committee meeting on 9.12.2011 where the Committee decided to keep the decision pending regarding both the applications along with other applications. Also on 2.2.2012, both the applications were again placed before the Press Accreditation Committee meeting but the Committee decided to keep the decision pending and due to which the Press Accreditation Card was not issued to the complainant. He also stated that no separate application for Gold Card from the complainant has been received by the Department. He submitted that all the applications for renewal and issuing of new cards are examined thoroughly and processed strictly according to West Bengal Press Representative Accreditation (Amendment) Rules and all the allegations mentioned in the complaint is baseless and unjustified.

### Counter Comments

The complainant in his counter comments dated 25.6.2012 has stated that the Director of Information, Department of Information & Cultural Affairs, Govt. of West Bengal held that his application for renewal of Accreditation card was placed before the Press Accreditation Committee twice and decision is still pending. The complainant stated that the cards of his District Reporters have been renewed. It implies that legitimacy of his Agency's Accreditation has been admitted by the department. He has stated that the repeated submissions and decision to keep his case pending may be intended to put his case a condemn cell and to harass him. According to him, this action is discriminatory and motivated.

### Report of the Inquiry Committee

Following one adjournment of 22.8.2013, the matter again came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. Shri Ashok Gupta, authorized representative appeared for the complainant. There was no appearance on behalf of the respondent.

The Inquiry Committee heard the representative of the complainant. It noted that the grievance of the complainant is that a Golden Accreditation Card and the District Accreditation Card to 24 Pargna & Hoogly Street, Kolkata were not issued to him. It also noted that the matter is pending with Press Accreditation Committee. It decided to dispose off the matter with the direction to the said Committee to decide the matter expeditiously.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dispose off the matter.



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SI No. 31

F.No. 13/146/12-13-PCI

Shri Raj Bahadur Yadav,  
Photographer, Hindustan,  
Sultanpur, U.P.

vs

Police authorities  
Sultanpur

### **ADJUDICATION**

This complaint dated 5.3.2013 has been filed by Shri Raj Bahadur Yadav, Photographer of Hindustan, Sultanpur (U.P.) alleging that the police had brutally beaten him and snatched his camera during photo coverage of an incident of police lathicharge on 25.2.2013 in front of Office of Superintendent of Police, Sultanpur. The complainant has further alleged that the Superintendent of Police, Shri Kiran S. and other police officers did not bother to save his life. According to the complainant, some photographers met the SP and demanded action but no action was taken by him against any accused. The complainant has also informed that an FIR/case No. 290/13 u/s 323, 392, 511 has been registered by him against the accused in Kotwali City PS.

### **Comments**

The Circle Officer (City) vide e-mail dated 15.4.2013 and Deputy Inspector General of Police vide letter dated 23.4.2013 and the Inspector In-charge, Sultanpur vide letter dated 12.4.2013 submitted their comments and stated that a man was killed by four accused on 9.2.2013 in Garha Khurd locality and regarding this a case was registered in Sultanpur police station which is pending. On 25.2.2013, two persons sent a letter to the Office of Superintendent of Police demanding information about the accused and after that they both with 40-50 persons turned violent in the police station and misbehaved with the police officials. Six people were arrested by the police in that incident and the rest ran away by pushing other persons and escaped. They submitted that while other persons were pushed, one photographer of the newspaper named Shri Raj Bahadur Yadav (the complainant) was hurt. Annoyed with this, he has registered a case No. 290/2013 u/s 323/392/511 of IPC on 25.2.2013. They have informed that after the case was registered, the complainant had undergone a medical examination and only superficial injuries were found on his body. They further submitted that Shri Ganesh Prasad Shukla, Deputy Superintendent of Police and Shri Ram Bhujharat were found guilty on the basis of the investigation report of Shri V.P.Singh, Circle Officer (City) and they were immediately suspended on 25.2.2013 from their duties and also a departmental inquiry is going on against them. They further stated that all the QRT officials were also transferred to police line. They denied the allegation of beating the complainant inside police campus and also of breaking down the camera of any journalist.

### **Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. Shri Raj Bahadur Yadav, the complainant appeared in person. Shri Jitendra Giri, SHO, Sultanpur, Shri Ved Prakash Singh, CO City, Sultanpur, Shri Jitesh Vikram Shrivastava, Advocate, Shri Yasir Usmani, Advocate, Shri Nitin Jain, Advocate and Shri Ram Vilas, Revenue Department, Sultanpur appeared on behalf of the respondent.

The Inquiry Committee heard both the parties. It noted the petitioner's grievance that he filed an FIR against the police and a proceeding underway but no action was taken on the FIR by the police authorities. The Inquiry Committee held that the remedy of the petitioner is to appeal before the Judicial Magistrate u/s 156(3) of the Cr.P.C. and the Council can only hear in this matter thereafter. The matter is accordingly disposed off.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dispose off the matter.



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Shri Rajiv Maharaj,  
Journalist, AAJ Newspaper,  
Lakhimpur, U.P.

vs

Police authorities  
Lakhimpur

### **ADJUDICATION**

This complaint dated 18.6.2012 has been filed by Shri Rajiv Maharaj, Journalist, Aaj Newspaper, Lakhimpur, Uttar Pradesh against Shri Ramsingh, Tekikunda and Shri Narender Verma & Shri Pawan Kumar from Holagadh for threats against publishing any news item against them. He has stated that on 14.6.2012 some persons were trying to set to fire the houses of the villagers and when he came to know of this, he went to cover the whole incident. He alleged that the respondents prevented from taking photographs of the incident. He further alleged that the respondents threatened him and also tried to kill him when the same news was published by him in its issue dated 16.6.2012 under the caption "**Zameen par kabje ko lekar gundo ne jala diye ghar**". He wrote to the Administration and DGP regarding the threat but no action was taken by them.

The respondent Superintendent of Police, Khiri vide letter dated 7.4.2013 has stated that the instant case was investigated by the Circle Officer, Dhaurhara and in its report it was found that the land in question was around 1.5 km far away from the village and no confirmed evidence was found regarding the irrigation of the land and setting on fire the houses of villagers.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. Shri Rajiv Maharaj, the complainant appeared in person. Shri Nitish singh, CO (Line), Lakhimpur, Khiri appeared for the respondent.

The Inquiry Committee heard both the parties. It noted that the grievance of the petitioner relates to inaction by the police on his complaint. The representative of the respondent contended that the S.P. has got the matter investigated by the City Magistrate but no evidence could be found about burning of farms. The Inquiry Committee is of the opinion that the proper remedy of the petitioner, if the complaint has not been properly inquired into, is to approach before the Judicial Magistrate u/s 156(3) of the Cr.P.C. The matter is accordingly disposed off.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dispose off the matter.



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SI No. 32

F.No. 13/63/11-12-PCI

Shri Jasbir Singh Sukhija  
Chief Editor/Publisher  
Dashmesh Pita  
Patiala, Punjab

V.

District Public Relations Officer  
Government of Punjab  
Patiala, Punjab

### **ADJUDICATION**

This complaint dated 18.7.2011 has been filed by Shri Jasbir Singh Sukhija, Chief Editor/Publisher, Dashmesh Pita, Patiala, Punjab against Shri Ishwar Singh, District Public Relations Officer, Patiala, Punjab for intervention in the free functioning of the press and suppressing the voice of the weekly. The complainant has alleged that the respondent imposed restrictions over his newspaper with unofficial and unethical means due to which he was not able to convey the policies of the government as the respondent was personally interfering in his work by not allowing his press correspondents to attend the government functions and press conferences. The major reason for this coercion is defying respondent's orders for not publishing news against Dr. Gurdeep Singh, Orthopaedician against whom the Section 325, 323, 341 has been imposed by the Court. The respondent personally called the complainant in the office and threatened him to stop such publication failing which a defamation case will be registered against him. The complainant alleged that on refusal, the respondent started concocted stories and making inquiries against him as he published the true story against them. The complainant has further alleged that the respondent has not renewed his identity card and defamed him in the public with a sort of personal revenge. Further, the respondent deliberately stopped his Bureau Chief from covering the Press Conference of Chief Minister of Punjab at Engineering College while the Organizer and the Chairman of the College personally invited him in the function. The complainant submitted that he had drawn the attention of the Chief Secretary, Punjab Secretariat, Chandigarh towards his grievance on 18.7.2011 and also filed complaint to the Director,

Information and Public Relations, Chandigarh but till date he has not received any communication from them.

#### Comments

Shri Ishwar Singh, District Public Relations Officer, Patiala in his comments dated 14.11.2011 denied the allegations levelled by the complainant and submitted that all the press notes/information of government programmes functions provided to reporters, correspondents and editors of various dailies, weeklies, monthlies and electronic media and also e-mailed to them. But the administration of 'Dashmesh Pita' never supplied its e-mail address to the office of District Public Relations Officer nor made any complaint about any such issue. The complainant has never intimated to District Public Relation Officer, Patiala any professional shortcoming. The respondent has further submitted that the complainant is blackmailer and files wrongful & false complaints for his defence.

#### Counter Comments

The complainant in his counter comments dated 25.12.2011 rejected the allegation levelled by the respondent and submitted that the respondent acted in an irresponsible manner by harassing him in official and unofficial manner. Further, the complainant submitted that the identity card is normally issued in January but the respondent issued in May 2011 which clearly depict his discrimination and biased attitude against him. According to the complainant, all the charges levelled by the respondent are false and baseless.

#### Hearing before the Inquiry Committee/Order Reserved

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi. S/Shri Jasbir Singh, Prabjot Singh and Gurcharan Singh appeared for the complainant. Shri Iswinder Singh Grewal, Dr. Janak Arora, Dr. Gurdeep Singh, DPRO, Patiala, Dr. Satnrain, Additional Director on behalf of the Chief Secretary, DIPR, Punjab appeared on behalf of the respondent. The Inquiry Committee heard both the parties. The complainant while reiterating his complaint stated that the respondent imposed restrictions on his newspaper from covering government events. The respondent denied the allegations. The Inquiry Committee after hearing both the parties decided to reserve the order with directions to the parties to file written submissions stating their case within a month. The order shall be passed thereafter.

#### Further Development –

##### Reply of the Complainant

In response to the directions of the Inquiry Committee on 15.7.2013, the complainant Shri Jasbir Singh Sukhija, Editor-in-Chief, Dasmesh Pita, Patiala vide letter dated 31.7.2013 submitted that the subject of whole incident is the intervention of Mr. Ishwinder Singh, DPRO, Patiala in free functioning of the press and suppressing the

voice of Dasmesh Pita by virtue of settling his personal scores with high profile persons. He further alleged that due to this rivalry, the DPRO with the bad intention stopped the renewal of his identity card which shows the biased role of DPRO. The DPRO said he has stopped his issuance of card due to the complaint but the complaint has nothing to do with the issuance of his identity card. Lastly, he raised some consequences which their organization had to face after this tragedy. He has requested that his identity card should be issued, correspondents of Dasmesh Pita should feel free to attend conferences and office of information and public relations should be directed that respect which is being demanded by a journalist should be given to him and his organization as a whole. He requested that a strict punishment should be made to an officer on such prestigious and responsible seat so that he could never attempt this type of corruption and wrong doings.

#### Reply of the Respondent

In response to the directions of the Inquiry Committee on 15.7.2013, the respondent Shri Ishwinder Singh Grewal, DPRO, Patiala (Punjab) vide letter dated 5.8.2013 submitted his written submissions and stated that they have denied the contentions submitted by the complainant in his counter comments as they were completely wrong. He further mentioned that the complainant namely Jasbir Singh Sukhija has already been blacklisted by the Hon'ble Press Council of India and has already been censured. He stated that the complainant is habitual of violating PCI Norms in his own periodical by publishing the news item in question in parts and using parts and sub parts thereof and gap of time for ulterior motives. He also denied the contention of the complainant that they have not received any complaint from Dr. Gurdeep Singh or Dr. Janak Raj Arora against the complainant as Dr. Gurdeep Singh filed his complaint on 3.6.2011 and Dr. Janak Raj Arora filed on 21.6.2011 both being against the complaint. He further denied of the allegation about the non-issuance of the identity card as the contention was false, frivolous and without any ground. He stated that the identity card was ready on 19.4.2011 but it was not collected by the complainant till May 2011. Now as they received complaint against him, they stopped the issuance of his identity card till pending inquiry. Further, he denied other allegations also which are levelled by the complainant.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi without calling the parties.

The Inquiry Committee after carefully perusing the record of the case and the written submissions filed by both the parties, found no merit in the complaint and therefore decided to dismiss the petition.

## Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the petition.



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Sl No. 32

F.No. 13/63/11-12-PCI

Shri Jasbir Singh Sukhija  
Chief Editor/Publisher  
Dashmesh Pita  
Patiala, Punjab

V.

District Public Relations Officer  
Government of Punjab  
Patiala, Punjab

### **ADJUDICATION**

This complaint dated 18.7.2011 has been filed by Shri Jasbir Singh Sukhija, Chief Editor/Publisher, Dashmesh Pita, Patiala, Punjab against Shri Ishwar Singh, District Public Relations Officer, Patiala, Punjab for intervention in the free functioning of the press and suppressing the voice of the weekly. The complainant has alleged that the respondent imposed restrictions over his newspaper with unofficial and unethical means due to which he was not able to convey the policies of the government as the respondent was personally interfering in his work by not allowing his press correspondents to attend the government functions and press conferences. The major reason for this coercion is defying respondent's orders for not publishing news against Dr. Gurdeep Singh, Orthopaedician against whom the Section 325, 323, 341 has been imposed by the Court. The respondent personally called the complainant in the office and threatened him to stop such publication failing which a defamation case will be registered against him. The complainant alleged that on refusal, the respondent started concocted stories and making inquiries against him as he published the true story against them. The complainant has further alleged that the respondent has not renewed his identity card and defamed him in the public with a sort of personal revenge. Further, the respondent deliberately stopped his Bureau Chief from covering the Press Conference of Chief Minister of Punjab at Engineering College while the Organizer and the Chairman of the College personally invited him in the function. The complainant submitted that he had drawn the attention of the Chief Secretary, Punjab Secretariat, Chandigarh towards his grievance on 18.7.2011 and also filed complaint to the Director,

Information and Public Relations, Chandigarh but till date he has not received any communication from them.

#### Comments

Shri Ishwar Singh, District Public Relations Officer, Patiala in his comments dated 14.11.2011 denied the allegations levelled by the complainant and submitted that all the press notes/information of government programmes functions provided to reporters, correspondents and editors of various dailies, weeklies, monthlies and electronic media and also e-mailed to them. But the administration of 'Dashmesh Pita' never supplied its e-mail address to the office of District Public Relations Officer nor made any complaint about any such issue. The complainant has never intimated to District Public Relation Officer, Patiala any professional shortcoming. The respondent has further submitted that the complainant is blackmailer and files wrongful & false complaints for his defence.

#### Counter Comments

The complainant in his counter comments dated 25.12.2011 rejected the allegation levelled by the respondent and submitted that the respondent acted in an irresponsible manner by harassing him in official and unofficial manner. Further, the complainant submitted that the identity card is normally issued in January but the respondent issued in May 2011 which clearly depict his discrimination and biased attitude against him. According to the complainant, all the charges levelled by the respondent are false and baseless.

#### Hearing before the Inquiry Committee/Order Reserved

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi. S/Shri Jasbir Singh, Prabjot Singh and Gurcharan Singh appeared for the complainant. Shri Iswinder Singh Grewal, Dr. Janak Arora, Dr. Gurdeep Singh, DPRO, Patiala, Dr. Satnrain, Additional Director on behalf of the Chief Secretary, DIPR, Punjab appeared on behalf of the respondent. The Inquiry Committee heard both the parties. The complainant while reiterating his complaint stated that the respondent imposed restrictions on his newspaper from covering government events. The respondent denied the allegations. The Inquiry Committee after hearing both the parties decided to reserve the order with directions to the parties to file written submissions stating their case within a month. The order shall be passed thereafter.

#### Further Development –

##### Reply of the Complainant

In response to the directions of the Inquiry Committee on 15.7.2013, the complainant Shri Jasbir Singh Sukhija, Editor-in-Chief, Dasmesh Pita, Patiala vide letter dated 31.7.2013 submitted that the subject of whole incident is the intervention of Mr. Ishwinder Singh, DPRO, Patiala in free functioning of the press and suppressing the

voice of Dasmesh Pita by virtue of settling his personal scores with high profile persons. He further alleged that due to this rivalry, the DPRO with the bad intention stopped the renewal of his identity card which shows the biased role of DPRO. The DPRO said he has stopped his issuance of card due to the complaint but the complaint has nothing to do with the issuance of his identity card. Lastly, he raised some consequences which their organization had to face after this tragedy. He has requested that his identity card should be issued, correspondents of Dasmesh Pita should feel free to attend conferences and office of information and public relations should be directed that respect which is being demanded by a journalist should be given to him and his organization as a whole. He requested that a strict punishment should be made to an officer on such prestigious and responsible seat so that he could never attempt this type of corruption and wrong doings.

#### Reply of the Respondent

In response to the directions of the Inquiry Committee on 15.7.2013, the respondent Shri Ishwinder Singh Grewal, DPRO, Patiala (Punjab) vide letter dated 5.8.2013 submitted his written submissions and stated that they have denied the contentions submitted by the complainant in his counter comments as they were completely wrong. He further mentioned that the complainant namely Jasbir Singh Sukhija has already been blacklisted by the Hon'ble Press Council of India and has already been censured. He stated that the complainant is habitual of violating PCI Norms in his own periodical by publishing the news item in question in parts and using parts and sub parts thereof and gap of time for ulterior motives. He also denied the contention of the complainant that they have not received any complaint from Dr. Gurdeep Singh or Dr. Janak Raj Arora against the complainant as Dr. Gurdeep Singh filed his complaint on 3.6.2011 and Dr. Janak Raj Arora filed on 21.6.2011 both being against the complaint. He further denied of the allegation about the non-issuance of the identity card as the contention was false, frivolous and without any ground. He stated that the identity card was ready on 19.4.2011 but it was not collected by the complainant till May 2011. Now as they received complaint against him, they stopped the issuance of his identity card till pending inquiry. Further, he denied other allegations also which are levelled by the complainant.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi without calling the parties.

The Inquiry Committee after carefully perusing the record of the case and the written submissions filed by both the parties, found no merit in the complaint and therefore decided to dismiss the petition.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the petition.



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Sl. No. 1

F.No.14/403/10-11-PCI

Shri Kesa Ram Medtiya,  
Sumerpur,  
Rajasthan.

vs.

The Editor,  
Samaj Ka Setu,  
Sumerpur,  
Rajsathan.

Adjudication

This complaint dated 18.10.2010 has been filed by Shri Kesa Ram Medtiya, Sumerpur (Rajasthan) against the Editor, 'Samahj ka Setu' for publication of allegedly false and defamatory news items under the caption as follows:

S.No.	Caption	Dated
1.	Char Bhuja Industries Group ki daanshilta samaj ke kis kaam ki	22.4.2010
2.	Khokhle netaon li khokhli rajniti	22.4.2010
3.	Manch per badbole	7.6.2010
4.	Asie pichhde samaj mein janam lena dukh ki baat	22.7.2010

According to the complainant, the respondent in its issues had used vulgar unsophisticated and unparliamentary language against his political life, his occupation and the society of Kumhar/Kumawat. In this regard the complainant vide his letters dated 25.4.2010 & 9.11.2010 drew the attention of the respondent editor and objected to the publication of the vulgar and unparliamentary language in his various issues. The respondent in his replies dated 6.5.2010 & 8.12.2010 has submitted that he had published his own view about the backward class of the society and did not make any allegation against any person.

The complainant has alleged when he refused to pay, Rs. 21, 000/- demanded by respondent he began publishing of false, baseless and defamatory news item against him in which he used very vulgar/objectionable words against him to defame him in the society.

The respondent in his written statement dated 29.1.2011 while denying the allegation of the complainant has submitted that he had published his own views and not against any person. He has stated that the complainant being a chief of the society annoyed with the publication of the news items which were not defamatory to him. He has alleged that the complainant is trying to curtail his freedom of press. The respondent has stated that he had published the regret for the same and had no objecting to defame any person.

The complainant in his counter comments dated 3.2.2011 while denying the written statement of the respondent has submitted that the respondent published an appeal of Shri Chunnilal Ramlalji Kumhar in the name of advertisement under the caption “**Swajati Bandhu Ki Kumawat Samaj Ke Naam Apeal**” in which he had made false comments against the female community that belongs to Natha Pratha (Re-marriage). He denied the allegation of the respondent that the respondent is indulging in blackmailing the donor who donates for the society. The complainant has submitted that he has filed a complaint against the respondent with RNI and enquiry is being conducted by the District Magistrate.

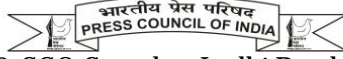
The matter was first placed before the Inquiry Committee on 2.4.2013. None appeared from both the sides. Though that a letter received from the complainant requesting for the adjournment in the matter on medical ground was placed before it. The Inquiry Committee considered the request of the complainant and granted adjournment in the matter.

#### Report of the Inquiry Committee

The matter again came up before the Inquiry Committee on 15.7.2013 at New Delhi. When the respondent filed its written submissions. The Inquiry Committee noted that absence of the complainant despite service of notice and recommended to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 2

F.No.14/389/9-10-PCI

Shri Karuna Kanta Barua,  
On behalf of Kabita Barua,  
Guwahati, Assam.

vs.  
The Editor,  
The Telegraph,  
Kolkata.

### Adjudication

This complaint dated 14.11.2009 has been filed by Shri Karuna Kant Barua, Guwahati against The Telegraph for publication of an allegedly false, misleading and defamatory news item under the caption “**Truant Cotton teacher sacked, two more resign**” in its issue dated 16.9.2009. In the impugned publication it is stated that Ratna Prasad, a teacher of Botany Department in Cotten College has been dismissed. Lopita Nath and Kabita Barua of the History Department put in their papers after the government gave them the choice to either quit or be sacked followed by dismissal and the resignations later on.

According to the complainant, Kabita Barua worked as lecturer of history in Cotton College. She went on study leave for five years after grant of leave by the Government. For health and other reasons she sought permission of the government to resign from service in the year 2005 and kept on pressing for orders. Government neither accepted nor rejected her request. Even intervention of the Chief Secretary did not help matters. Ultimately Government agreed to allow her to resign on 2.6.2008 and wrote to the Accountant General to let government know if any amount is due from her but she had not been allowed to resign. She had not signed any bond to serve the government for any fixed time. She has not drawn any emolument for the relevant period. After all attempts to get released from service for more then five years it is really cruel for the correspondent to say “that she put her papers after” the Government gave them the choice to either quit or be sacked”. The complainant has alleged that it was done maliciously even after receiving the clarification from Lopita Nath. The complainant has further alleged that the impugned publication humiliated the duo before their students, society and caused other financial losses. The complainant has further submitted that the attention of the respondent was drawn towards the impugned news item on 20.9.2009 but the respondent instead of publishing his clarification again published another falsehood in his newspaper issue dated 30.9.2009 captioned “Cotton staff in ouster plea”.

The respondent Corporate Manager-Tax & Legal, The Telegraph in his written statement dated 1.10.2010 denying the allegations submitted that the complainant has no locus standi to file this complaint and the complainant has not filed any authorization in this regard. According to him, the complainant has filed this complaint on behalf of Ms. Kabita Barua (daughter of the complainant) and Ms. Lopita Nath and he failed to show the authority or

representation the basis of which the said complaint is filed. The respondent has submitted that the impugned article had been published upon taking due care and caution and on the basis of material made available to him by the Principal

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of the Cotton College Guwahti who had neither denied nor contradicted the contents of the news item published on 16.9.2009 and 30.9.2009. According to him, the concerned journalist after collecting the material for the article from the Principal had made all possible efforts to get the contact numbers of Ms. Kabita Barua and Ms. Lopita Nath from the Principal teachers and members of the Cotton College Teacher Association but none could provide the concerned journalist with their contact details. The respondent further submitted that in absence of such contact details it was not possible for the journalist to obtain a clarification from Ms. Barua or Ms. Nath. However, since the matter involved public importance the article had to be published. The respondent also submitted that subsequent to publication of the impugned articles Ms. Kabita Barua and Ms. Lopita Nath were available in Guwahati as could be ascertained from the concluding lines of the 3<sup>rd</sup> paragraph of the complaint dated 14.11.2009 and in such event the said two lecturers could have forwarded to the concerned journalist their clarification in relation to the impugned articles. In the latter article of September 30, 2009 allegations had been published against Ms. Aditi Sharma, another lecturer. The respondent has stated that the journalist while writing the impugned article of 30.9.2009 had taken into consideration the version of Ms. Sharma who had inter alia denied the charges. According to the respondent, the two allegedly aggrieved lady lecturers and/or the author of the complaint instead of approaching the concerned journalist directly had chosen to forward their clarification to the office of the newspaper at Kolkata which due to reasons beyond the control of the editor could not be forwarded to the concerned journalist in time. Moreover, both the lecturers well knew the address and location of the concerned journalist and they should have been forwarded the relevant documents to the journalist to enable him to consider and include the version of both the lecturers in the subsequent article which was published on September 30, 2009. He has submitted that no press note till date has been received by the concerned journalist. The impugned article in question had been published keeping this in mind and if any contrary view had been received from the persons alleged to have been aggrieved, the same would have been carried as had been done in the case of Ms. Aditi Sharma.

#### Counter Comments

The complainant vide his counter comments dated 10.6.2011 has stated that it was revealed from the reply that the editor, journalist and the paper is guilty of professional misconduct and what they have done is against public taste and journalistic ethics and this news and subsequent conduct is aimed inter alia to incite students against teachers and cause disaffection. The complainant submitted that the two lecturers are permanent employees of the Government of Assam and not casual workers and finding them should not be difficult and the paper said that they had published the article as it involved "public importance". But, perusal of the impugned news item it shows that it is neither recent nor urgent. The conduct of this paper should leave no one in any doubt about their real intention in publishing totally false news. According to the complainant, the difficulty

about the papers is that they consider them as the final arbitrator of the society and can harm and defame anybody to prove their innocence. The complainant urged that the respondent should publish their version and leave it to the people to judge. The editor received the clarification issued by Dr. Lopita Nath but wilfully did not publish it.

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#### Respondent's Reply

The respondent vide letter dated 23.12.2011 has submitted that the daughter of the complainant, Ms. Kabita Barua was granted leave for two years with effect from 23<sup>rd</sup> August 1998 for her higher studies and Ms. Barua prayer for further extension of leave which was granted from August 23, 2001 and expired on 22<sup>nd</sup> August, 2003. No further extension of leave was thereafter, granted to Ms. Barua. Vide letter dated 24.6.2005 Ms. Barua was asked to report on duty in the college within one month from the date of issuance of the notice failing which necessary action would be taken against her under Rule 18 of F.R. & S.R.. The Government of Assam vide letter dated 15.3.2008 addressed to the Principal Cotton College informed that the Government had constituted an enquiry against Ms. Barua's continuous absence from duty. The respondent further submitted that the newspaper has never intended to harm or defame anybody by publication of the impugned news items on September 16 and September 30, 2009 neither does the newspaper intends to nor can it take up the functions of a Court thereby asking people to prove their innocence before it. He denied the allegation that the clarification issued by Ms. Barua and Ms. Nath was wilfully not published or that the persons aggrieved are expected to run after the journalist to prove their innocence.

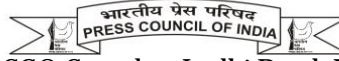
#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi. The complainant filed a written prayer for exemption from appearance. Shri Vivek Vidyarthi, Advocate appeared for the respondent.

The Inquiry Committee at the outset considered and accepted from the objection of the respondent to the locus of the complainant in filing the complaint in the absence of only authorization for the affected parties who were not minor in law. Therefore without going into the merits of the case, the Inquiry Committee therefore recommended the Council to dismiss the case.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. Nos. 3-4  
ShriMrigankaBhattacharjee  
Working Chairman  
Crime Prevention Council of India  
Assam State Council  
Silchar, Assam.

File No.14/615 & 618/09-10-PCI  
The Editor  
Telegraph  
Guwahati  
&  
The Editor  
AsomiyaPratidin  
Guwahati

#### Adjudication

This complaint dated 27.1.2010 has been filed by ShriMrigankaBhattacharjee, Working Chairman, Crime Prevention Council of India, Assam State Council, Silchar, Assam against Telegraph and AsomiyaPratidin alleging publication of false and baseless news-items captioned “Self-styled crusader against corporate irregularities held for fraud” – Handcuffs on ‘crime-warrior’ ‘Telegraph’ and “Ex-Governor Permitted – Self Styled Crime Prevention Committee Controlled by Police” ‘AsomiyaPratidin’ in its issues dated 20.1.2010 and 19. 1.2010respectively. It has been alleged in the news-items that Guwahati police arrested office bearers of Crime Prevention Council of India, Assam State Council, a fake organization which used emblem and seal of the police for its activities. It is also alleged that at the time of police enquiry and interrogation, the office bearers of organizationtried to prove their credibility and validity by showing message from Late Governor, Shri Shiv CharanMathuralongwith permission letter and other documents. It was alleged the organizationmembers took certain amount of money from people for advice and filing of FIR etc. It was also alleged that Guwahati police arrested them for interrogation.

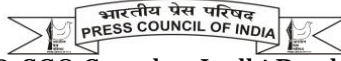
The complainant has submitted that the news-reports hampered the image of the organization as well as the dedicated leaders who were faithfully working for the welfare of the people in the state without any self interest. The organization in question is genuine with Registration No. 222/1950-51 under Society Registration Act No. 21, 1860. Further it is not an organization parallel to police administration but a subsidiary to the police administration to assist the police in all respect with regard to crime control. The organization has never claimed to be parallel to Police. The complainant asserted that editors of dailies did not verify the facts before publication and committed professional misconduct by not expressing their fault for publication of such false news-items. The complainant submitted that he sent several rejoinders to the respondents for publication.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi, when none appeared from either side though service was complete. The Inquiry Committee therefore recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records fo the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 5

F.No.14/419/10-11-PCI

Shri K.O. Samuel,  
Kolkata.

vs.

The Editor,  
The Statesman,  
Kolkata.

### Adjudication

This complaint dated 4.10.2010 has been filed by Shri K.O. Samuel, Kolkata against The Statesman for publication of false and baseless news item under the caption “**Swine Flu Kills 1 more**” in its issue dated 4.8.2010. It is stated in the impugned news item that a 13-year-old boy admitted to a private healthcare establishment in South Kolkata died of Swine Flu last night. It was further reported that the boy was suffering from liver problem for a long time but his parents did not pay any attention to it. Later, when his condition turned critical he was admitted at the hospital. According to the complainant, the information mentioned in the impugned news item has been matching with his son master Nitin Mammen Samuel, who died on 2.8.2010. His family is largely hurt by the allegations that “the boy was suffering from liver problem for a long time but his parents did not pay any attention to it”. The complainant further submitted that his son had fever on 26<sup>th</sup> July and admitted to a very reputed hospital in South Kolkata on 27<sup>th</sup> early morning but died of Encephalitis on 2<sup>nd</sup> August, 2010 after spending more than 4 lakhs for his treatment. The complainant has further stated that he contacted with the City Editor on 23.8.2010 seeking details of source of this information but he declined to give any information. The complainant further submitted that he had written a letter to the Chief Editor on 2.9.2010 and personally visited on 21.9.2010 but no response is received. The complainant has alleged that the respondent’s silence is ample proof that he is guilty of publishing baseless allegations on parents who are already shaken having lost precious life of child.

The complainant vide his another letter dated 24.3.2011 submitted that he had obtained a copy of the press note issued by the Department of Health and Family Welfare which clearly shows that the boy died of “brain stem encephalitis”, but the respondent has cited many diseases as cause of death and blamed the parents. The complainant further submitted that the same press note had gone to many news papers but none of the reputed news papers in Kolkata reported that the “parents did not care for the child” as reported by the Statesman.

-2-

The respondent editor, Statesman, Kolkata vide his written statement dated 30.5.2011 has stated that the report was based on a conversation with the Nodal Officer monitoring Swine Flu on the circumstances of the Child’s death. The respondent accepted that the reporter had gone beyond the press release issued by the Department of Health and Family Welfare and

sought additional details which is a valid journalistic practice. The respondent further submitted that the complainant contacted with the City Editor over telephone to seek answers to several questions but he did not explain the reasons for wanting these answers, therefore it was difficult for the City Editor to tell him anything beyond what was contained in the report. The respondent further submitted that the Nodal Officer monitoring for Swine Flu has not contradicted the contents of their report published on 4.8.2010.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 15.7.2013 at New Delhi. None appeared from either side.

The respondent prayed for decision based on its written statement. The complainant vide letter dated 9.7.2013 contested the written statement and asserted that the Nodal Officer had denied having give out any informal beyond the press note he added that publishing corrective rejoinder at this stage could not make up for their agony. The Inquiry Committee noted that the grievance pertains to the publication of insinuation of correctness of the parents in the news item under the caption "**Swine Flu Kills 1 more**" in issue dated 4.8.2010 of the statesman. The Inquiry Committee noted the written submissions and observed that the matter is now three year old, it was therefore inclined to allow the issue to rest with direction to the respondent the statesman to be sensitive to the sentiments of the public constituting private persons, especially in times of grief. It recommended to the Council accordingly.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to allow the complaint to rest as above.



भारतीय प्रेस परिषद  
PRESS COUNCIL OF INDIA

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Sl. No. 6

F.No.14/147/12-13-PCI

The General Secretary,  
Popular Front of India,  
Noida Road, KalindiKunj,  
New Delhi – 110025

vs.

The Editor,  
Hindustan Times,  
Lucknow Edition,  
Gomti Nagar, Lucknow.

### ADJUDICATION

This complaint dated 16.04.2012 has been filed by the General Secretary, Popular Front of India against the Editor, Printer & Publisher and the Correspondent, Hindustan Times for publishing a false, fictitious, baseless and defamatory news item under caption “UP cops yet to solve Varanasi ” on 10.09.2011. It was alleged in the news item that according to the police officer, in an investigation of an incident of explosion in Varanasi’s Shitlaghat, it seemed to be handiwork of the Indian Mujahideen (IM) but the role of other terrorist outfits like the Harkat-ul-Jihad (HuJI), Students Islamic Movement of India (SIMI) and Popular Front of India could not be ruled out. It was also stated that a senior cop indicated the Varanasi blast might be a coordinated effort of these organisations. It was also stated that the PFI is expanding its base in Uttar Pradesh and within a year PFI has spread its roots from one to 22 districts.

The complainant stated that the news item with charges labelling it as a terrorist organization and linking it to Varanasi Blast is completely false and totally baseless. He has further stated that the respondent intentionally and maliciously tried to link the complainant with Delhi Blast without any evidence and it is a serious allegation are trying to portray them as terrorist organization. It has further stated that the complainant is a registered organization with aims and objectives for the betterment of the weaker sections of the society. The complainant further alleged that the respondent published the news item with an intention to tarnish/malign the image and reputation of him and the activities of the respondent are clearly established of professional misconduct. The newspaper did not try to verify the facts from them.

The complainant had sent the letters to the Editor of Hindustan Times on 27.09.2011 & 30.12.2011 for publication their rejoinder with an apology in the next immediate issue of their newspaper but received no response. It has further stated that the complainant being aggrieved against the said impugned news item issued a legal notice on dated 01.02.2012 through its General Secretary to tender unconditional apology with the admission of their false and concocted reporting at the same space in their newspaper within a stipulated period after the receipt of the said legal notice. According to the complainant, the

respondent failed to comply with the contents of the said legal notice till dated. The complainant, therefore, requested the Council to pass appropriate order/direction against the respondent.

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A Show Cause Notice was issued to the respondent on 6.8.2012 for written statement.

#### Written Statement

Ht Media Limited vide its written Statement dated 6.8.2012 denied all the allegations levelled against them in a complaint. The respondent clarified that the said news item as stated in the Notice was based on the briefing meet with the senior police officials held by the Special Director General (Law and Order) after the Delhi High Court blast and also they nowhere published that it is their opinion rather it was the statement of a senior police official of the U.P. Anti Terrorist Squad. They have already published the rejoinder in its issue dated 5.10.2011 under the caption "PFI is a social organization". He requested the Council to dismiss the complaint with exemplary costs.

A copy of written statement was forwarded to the complainant on 5.3.2013 for his comments.

#### Counter Comments

The General Secretary, PFI vide his counter comments dated 20.4.2013 stated that the reply filed by the respondent is incorrect, false and misleading, except those points which were admitted by the respondent. He stated that it is unacceptable that the respondent does not know the complainant personally or professionally. He further stated that the respondent has purposefully been slinging mud on the face of the complainant as he belongs to the Muslim community. It is the duty of the respondent of acquire the knowledge about the complainant before publishing such serious allegations, stated the complainant and requested the Council to reject the complaint.

A copy of the counter comments was forwarded to the respondent on 9.5.2013 for information.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. S/Shri Bahar U. Barqi, K.P. Mohamad Shareef and A. Mohamad Yusuff advocates appeared for the complainant. No one appeared for the Respondent, Hindustan Times. The Inquiry Committee heard the representative of the complainant alleging that baseless and defamatory news item was published on 10.9.2010 in which complainant was named as possibly involved in the Varanasi Bomb Blast. The news item is said to be based on the statement of police officials but such police officers had not been named. The complainant submitted that their organization 'Popular Front of India' is a Social Organization and not a Terrorist Organization. The Inquiry Committee was satisfied that the press needs to be more careful while publishing name of any organization and alleging their involvement in Terrorist activities. Before publishing such news proper investigation is essential, but was not done, in this case. Newspapers should be more careful in future and make due investigation before levelling such serious charges. We feel this direction is necessary to maintain communal harmony and bind this secular fabric of this country. The Inquiry

Committee further directs the Respondent to publish the clarification of the complainant organization. With these observations the Inquiry Committee decided to dispose of the complaint.

Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dispose of the complaint.



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Sl. No. 7

F.No.14/151/12-13-PCI

The General Secretary,  
Popular Front of India,  
Noida Road, KalindiKunj,  
New Delhi – 110025

vs.

The Editor,  
The Inquilab Urdu,  
Delhi Edition,  
GautamBudh Nagar,  
Noida - 201 301.

ADJUDICATION

This complaint dated 27.04.2012 has been filed by the General Secretary, Popular Front of India against the Editor, the Printer & Publisher and the Reporter, The Inquilab Urdu for publishing of false, baseless and defamatory news item under caption “ **Israel diplomat car par hamlekamamla – Popular Front of India Janch Agency keshakkedhairaymein**” on dated 19.02.2012.

The complainant stated that spreading such false and baseless news item shows that the respondents are slinging mud on the complainant without any evidence. It has further stated that the respondent intentionally and maliciously tried to link the complainant with the Israel Embassy Car blast incident without any evidence. Also, the respondent is trying to link the complainant with SIMI. The complainant further stated that the allegation such as last year there was an arms training camp for the members of the PFI in Bangalore is completely false and baseless as police in Karnataka has not issued any statement with this allegation. The complainant alleged that the respondent is trying to portray him as a terrorist organization. The complainant further alleged that the respondent publishes these news items with an intention to tarnish/malign the image and reputation of him. He further stated that the activities of the respondent clearly establish professional misconduct and a clear blot on the face of genuine and transparent journalism. The complainant has sent a letter to the Editor of Inquilab Urdu on 21.02.2012 requesting him to publish the rejoinder with an apology in their newspaper. The complainant being aggrieved against the said impugned news item, issued a legal notice on dated 26.03.2012 through its General Secretary to tender unconditional apology with the

admission of their false and concocted reporting at the same space in their newspaper within a stipulated period after the receipt of the said legal notice but received no response .The complainant, therefore, requested the Council to pass appropriate order/direction against the respondent.

#### No Written Statement

A Show Cause Notice was issued to the respondent editor on 6.8.2012 for the written statement but no written statement has been filed despite reminder dated 5.3.2013.

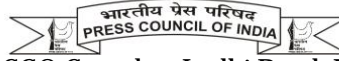
-2-

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. S/ShriBahar U. Barqi, K.P. Mohamad Shareef and A. Mohamad Yusuff advocates appeared for the complainant. Shri B.K. Mishra, Advocate appeared for the Respondent, The Inquilab, Urdu Daily. The Inquiry Committee heard the parties. The Complainant submitted that the news item was published on 19.2.2012 under the caption “Israel diplomat car par hamle ka mamla – Popular Front of India janch agency ke shak ke dairey mein” with totally false and baseless allegation that were not borne out by any evidence. He asserted that their organization ‘Popular Front of India’ is a Social Organization not a Terrorist Organization. They had also been denied right of reply. The Inquiry Committee having considering the matter felt that the newspapers should be more careful while naming of any organization as being involved in terrorist activities. Before publishing such charges, proper investigation should be there, which has not been ensued in this case. This was essential to maintain communal harmony and bind the social fabric of a secular Country. The Inquiry Committee directed the Respondent to publish rejoinder of the complainant organization. With these observations the Inquiry Committee decided to dispose of the complaint.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dispose of the complaint.



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Sl. No. 8

F.No.14/154/12-13-PCI

The General Secretary,  
Popular Front of India,  
Noida Road, KalindiKunj,  
New Delhi – 110025

vs.

The Editor,  
The New Sunday Express,  
Madurai Edition,  
Express House, Kaloor  
Kochi - 682 017 (Kerala).

### ADJUDICATION

This complaint dated 16.04.2012 has been filed by the General Secretary, Popular Front of India against the Editor, The New Sunday Express, Kochi for publishing an allegedly false, baseless and defamatory news item under caption “**Delhi Car Blast: Clues Point to PFI**” in its issue dated 19.2.2012. It was stated in the impugned news item that the anti-Israeli statements made by leaders of Kerala-based Popular Front of India on the eve of Union Foreign Minister’s visit to Israel have made them prime suspects in the February 13 Israel embassy car blast here.

The complainant stated that spreading such false and baseless news item shows that the respondent is slinging mud on the complainant without any evidence. It has been further stated that the respondent intentionally and maliciously tried to link the complainant with the Israel Embassy Car blast incident without any evidence. The complainant further alleged that the respondent published the news item with an intention to tarnish/malign his image and reputation. He further stated that the activities of the respondent clearly establish professional misconduct and are a clear blot on the face of genuine and transparent journalism. The complainant sent a letter to the respondent Editor on 26.02.2012 requesting him to publish the rejoinder with an apology in their newspaper. The complainant being aggrieved against the said impugned news item, also issued a legal notice on 26.03.2012 through its General Secretary to tender unconditional apology with the admission of their false and concocted reporting at the same space in their newspaper within a stipulated period after the receipt of the said legal notice but received no response. The complainant, therefore, requested the Council to pass appropriate order/direction against the respondent.

A Show Cause Notice was issued to the respondent on 6.8.2012 for his written statement.

### Written Statement

The respondent in his written statement dated 4.10.2012 denied the allegation levelled by the complainant and stated that the allegation of the complainant is made without merit and denied. The allegation against the news item published is self-serving and made malafide for the purpose of the case. He further submitted that the news item contained only statement of facts which were true in fact and substance and was published in good faith and in public interest as part of the journalistic duties owed to the society and not with the intention or motives alleged by the complainant. The reports itself correct the statement of the Chairman of PFI. The respondent was also willing to publish the statement of the complainant.

A copy of the written statement was forwarded to the complainant on 29.11.2012 for counter comments.

### Counter Comments

The General Secretary, Popular Front of India has submitted his counter comments vide letter dated 22.4.2013 and stated that the contents of the written statement are false and misleading. He has further stated that it is the duty of the respondent to acquire the knowledge about the complainant before publishing such serious allegations.

A copy of the counter comments was forwarded to the respondent on 9.5.2013 for information.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. S/Shri Bahar U. Barqi, K.P. Mohamad Shareef and A. Mohamad Yusuff advocates appeared for the complainant. Shri Atul Batra, Advocate and Shri M. A. Ramakrishan, Manager Credit appeared for the respondent. The Inquiry Committee heard the parties and perused the news item published on 19.2.2012 stating that the anti-Israeli statements made by leaders of Kerala based Popular Front of India on the eve of Union Foreign Minister's visit to Israel made them prime suspects in the February 13 Israel Embassy car blast. The complainant submitted that their organization 'Popular Front of India' is a Social Organization and not a Terrorist Organization. The Inquiry Committee was satisfied that the press should be more careful while naming any organization for being involved in Terrorist activities. Before publishing such news item proper investigation is essential so as to maintain and bind the secular fabric of the Country. The newspaper has expressed a willingness to publish the rejoinder of the complainant. This may be done under intimation to Council.

### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decides to dispose of the complaint in the above terms.



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Sl. No. 9

F.No.14/155/12-13-PCI

The General Secretary,  
Popular Front of India,  
Nodia Road, KalindiKunj,  
New Delhi – 110025

vs.

The Editor,  
Nav Bharat Times,  
Delhi Edition,  
Times House, Bahadur Shah  
ZafarMarg, New Delhi – 11.

#### ADJUDICATION

This Complaint dated 16.04.2012 has been filed by the General Secretary, Popular Front of India against the Editor, the Printer & Publisher and the Reporter, Nav Bharat Times for publishing the false, baseless and defamatory news item under caption “**Blast: 3 Sangathano par KhufiaNazar**” on 17.02.2012. It was stated in the impugned news item that the intelligence agency had kept a watch on three agencies viz SIMI, Indian Mujhahiddin and PFI having doubt of involvement in case of attack on Israel diplomat's car.

The complainant stated that spreading kind of false and baseless news item shows that the respondents are slinging mud on the complainant without any evidence. It has been further stated that the respondent intentionally and maliciously tried to link the complainant with Israel Embassy Car blast incident. The complainant alleged that the respondent is trying to portray him as a terrorist organization an intention to tarnish/malign his image and reputation. He further stated that the activities of the respondent are clearly established professional misconduct and a clear blot on the face of genuine and transparent journalism. The complainant has sent a letter to the Editor of Nav Bharat Times on 21.02.2012 requesting him to publish the rejoinder with an apology in their newspaper. The complainant being aggrieved against the said impugned news item issued a legal notice on 26.02.2012 through its General Secretary to tender unconditional apology with the admission of their false and concocted reporting at the same space in their newspaper. It received no response. The complainant, therefore, requested the Council to pass appropriate order/direction against the respondent.

A Show Cause Notice was issued to the respondent on 6.8.2012 for written statement.

#### Written Statement

ShriShailendra Singh, Advocate for the respondent vide his written statement dated 7.11.2012 while denying the allegations has stated that the news item was published on the basis of the information received from the investigating/security Agencies in the Security Set Up of Country. He also stated that no where in the news item it was said that Popular Front of India is a terrorist organization but all that is highlighted there is that certain organizations including PFI are under observation by the

Investigating/Security Agencies. He further stated that the allegations levelled by the complainant are purely based upon his imagination and are away from the truth. He informed that the clarification has already been issued under caption “PFI Jihadi SangathanNahi : Sharif” in its issue dated 10.7.2012 at page number 9 of Nav Bharat Times, New Delhi wherein the version of the complainant has been published to its satisfaction. He has requested the Council to drop the proceedings.

A copy of the written statement was forwarded to the complainant on 30.1.2013 for his counter comments.

#### Counter Comments

The General Secretary, Popular Front of India vide his counter comments dated 20.4.2013 stated that the reply filed by the respondent is incorrect, false and misleading, except those points which were admitted by the respondent. It is the duty of the respondent to acquire knowledge about the complainant before publishing such serious allegations.

A copy of the counter comments was forwarded to the respondent on 9.5.2013 for information/comments.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. S/Shri Bahar U. Barqi, K.P. MohamadShareef and A. MohamadYusuff advocates appeared for the complainant. None appeared for the Respondent, Navbharat Times. The Inquiry Committee heard the representative of the complainant alleging that baseless and defamatory news item was published on 17.2.2012 in which complainant organization was arrayed as a suspect in the attack on Israel diplomats car along with SIMI and Indian Mujahiddin. The complainant submitted that their organization ‘Popular Front of India’ is a Social Organization and not a Terrorist Organization as perusal. The Inquiry Committee felt that the newspapers should be more careful while projecting any organization as being involved in terrorist activities. Before publishing such news item proper investigation should be done which was not done in this case. Newspapers need to be duly caution in future on as to maintain correct harmony and retain the secular bonds in the Country. Noting that the respondent had published the rejoinder of the complainant, the Inquiry Committee decided to dispose of the complaint.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dispose of the complaint with the above terms.



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PRESS COUNCIL OF INDIA

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Sl. No. 10

F.No.14/157/12-13-PCI

The General Secretary,  
Popular Front of India,  
Noida Road, KalindiKunj,  
New Delhi – 110025

vs.

The Editor,  
Deccan Chronicle,  
Kochi Edition,  
Ernakulam, Kerla - 682 017.

### **ADJUDICATION**

This complaint dated 16.04.2012 has been filed by the General Secretary, Popular Front of India against the Editor, the Printer & Publisher and the Reporter, Deccan Chronicle for publishing the false, fictitious, baseless and defamatory news item under caption “**PFI meet: Intel gropes in dark**” on dated 26.01.2012. It was stated in the impugned news article that a secret meeting was held by PFI three days ago at an isolated building near Manjeri.

The complainant stated that charge of a secret meeting allegedly held by Popular Front of India three days ago at an isolated building near Manjeri, is completely false and fictitious as the said building is not isolated and it is situated in Puthanathani, far away from Manjeri and it was not a secret meeting, it was actually the National General Assembly of the complainant. He further alleged that, the respondent tried to portray the complainant as terrorist organization. He also stated that the respondent published these news items with an intention to tarnish/malign the image and reputation of him and the activities of the respondent are clearly established of professional misconduct and a clear blot on the face of genuine and transparent journalism. The complainant’s Kerala State PRO approached to the respondent editor on dated 27.01.2012, on behalf of the complainant requesting him to publish the contradiction with an unconditional apology in the next immediate issue of their newspaper. Upon this, the respondent published just one part of the version in his newspaper on 31.01.2012 at page no. 03. The complainant is not satisfied with the rejoinder published by the respondent as they did not publish an unconditional apology for the said fictitious and untrue report. So, the complainant once again sent a letter to the Editor of Deccan Chronicle on 11.02.2012 requesting him to republish the version of the complainant with an apology but no response. Being aggrieved against the said impugned news item, the complainant issued a legal notice on 26.02.2012 through its General Secretary to tender unconditional apology with the admission of their false and concocted reporting at the same space in their newspaper within a stipulated period after the receipt of the said legal notice but no

response has been received. According to the complainant, the respondents have failed to comply with the contents of the said legal notice till date. The complainant, therefore, requested the Council to pass appropriate order/direction against the respondent.

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A Show Cause Notice was issued to the respondent editor on 6.8.2012 for his written statement.

#### Written Statement

Shri John Mary, resident editor vide his written statement dated 1.9.2012 has submitted that the complainant has no locus standi to file the complaint. He denied the allegation that they indulged in false and vexatious activities by publishing the news item as they have done proper reporting of the event. He further stated that the allegations of the complainant are baseless and bereft of any truth. He further submitted that they had a prominent role in media reporting and cannot act irresponsibly while publishing the news items and the news item which was published on the basis of true information. He also stated that the version of the complainant was also published in his newspaper in good faith and in a responsible manner. He requested to dismiss the complaint as the complainant has not explained the reason for delay in filing the complaint.

A copy of the written statement was forwarded to the complainant on 20.9.2012 for counter comments.

#### Counter Comments

The complainant vide his letter dated 22.4.2013 while denying the allegations levelled by the respondent has stated that the respondent was not aware about the nature of the meeting and the respondent newspaper as a responsible press ought to have contacted the complainant to know about those matters. He further stated that it is the duty of the respondent newspaper to acquire the information from the complainant before placing the serious allegation against him. He also stated that there is no custom prevalent anywhere to send the press release by registered post just after the programme rather it is used to send by hand to corresponding bureau office or reporter. He stated that the written statement is false, misleading and incorrect.

A copy of the counter comments was forwarded to the respondent on 3.5.2013 for information.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. S/Shri Bahar U. Barqi, K.P. MohamadShareef and A. Mohamad Yusuff advocates appeared for the complainant. Shri Rajendra Kumar Mishra, appeared for the Respondent, Deccan Chronicle. The Inquiry Committee heard the parties and perused the news item dated 26.1.2012 reporting that a secret meeting was held by PFI three days ago at an isolated building near Manjeri, which was the complainant asserted false and fictitious as the meeting was the general assembly meeting and the insinuation of the organization being involved in terrorist activities was damaging and incorrect. The Inquiry Committee was satisfied that the newspapers ought be more careful while making such serious allegation against any organization so as not to damage the secular fabric of the country. Before

publishing such news item proper investigation should be done to arrive serious at correctness of facts. In the case the version of the complainant had however been given due space in the newspaper therefore the Inquiry Committee decided to dispose of the complaint with these observations.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dispose of the complaint.



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Sl. No. 11

F.No.14/26/10-11-PCI

Shri Sushil Kumar Agarwal,  
President,  
Nagar Panchayat, Latehar,  
Jharkhand.

vs.

The Editor,  
Dainik Jagran,  
Ranchi.

#### Adjudication

This complaint dated 6.4.2010 has been filed by Shri Sushil Kumar Agarwal, Chairman, Nagar Panchayat, Latehar, Jharkahand against the editor, Dainik Jagran for publication of allegedly false, baseless and defamatory news item captioned “**By-pass sadak ki marammat aadhar mein**” in its issue dated 2.4.2010. It is stated in the impugned news item that at the time of election the Chairman, Vice-Chairman and other representatives of Nagar Panchayat assure the people of the area that they will take care of road problems, water problems and other problems but after election they never came there. It is also stated in the impugned news item that due to negligence of the public representatives in the development work of the area, people are facing a lot of problems. Due to recalcitrant attitude of the Chairman, Nagar Panchayat with the ward Councilors the development programmes/work got late. Except from some Councilors, the rest are only interested in the commission to be earned from developmental work.

Denying the allegations levelled in the impugned news item the complainant has stated that due to publication of the impugned news item the reputation of the Chairman, Nagar Panchayat degraded and they never interfered in the developmental work in the area. The complainant drew the attention of the respondent editor towards the impugned publication on 6.4.2010 but received no response.

#### No Written statement

Show Cause Notice was issued to the respondent editor, Dainik Jagran on 25.2.2011 to which no response was received.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. No one appeared for the complainant. Shri B. K. Mishra, Advocate appeared for the respondent. The Inquiry Committee noted that no one appeared to press the complaint therefore it decided to dismiss the complaint for default.

### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dismiss the complaint.



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Sl. No. 12

F.No.14/325/10-11

ShriSushil Kumar Aggarwal,  
Chairman, NAC-cum-Secretary,  
Gandhi Inter College,  
Latehar, Jharkhand.

vs.

The editor,  
DainikJagran,  
Ranchi

### ADJUDICATION

This complaint dated 13.8.2010 has been filed by ShriSushil Kumar Aggarwal, Chairman, NAC-cum-Secretary, Gandhi Inter College, Latehar against the editor, DainikJagran, Ranchi for publication of allegedly false, baseless and defamatory news item captioned “**aahartapoori hone kebaadbhipadainahihuishuru**” in its issue dated 12.8.2010. It is stated in the impugned news item that due to recalcitrant attitude and disinterest shown by the Governing Committee, courses could not be started in all three streams. Only faculty of Arts Stream has been granted permanent course. Commerce and Science stream have yet not been granted permanent course in the college due to this thousands of students wandering here and there seeking admission in those steams. Due to irresponsible and recalcitrant attitude of the Principal-in-charge and Governing Committee hopes of high education of the students of the District vanished.College has not fulfilled all the criteria for starting the courses in all three streams but only in Arts stream course has been started.

Denying all the allegations levelled in the impugned news item the complainant submitted that impugned news item is false, fabricated, baseless and published to malign the image of the College and its Principal. Everything done in the college as per rules and regulations and no recalcitrant attitude has been adopted by the Governing Committee.

The complainant further submitted that college has fulfilled all the requirements in all the streams and principal and the Committee gave their best efforts to regularize all the courses. The complainant further submitted that due to the publication of the impugned news item, the reputation of the Gandhi Inter College is degraded in the eyes of the students and general public. He further stated that before publication of the impugned news item the respondent newspaper never contacted them for anything or their version. The complainant drew the attention of the respondent editor towards the impugned news item on 13.8.2010 but received no response. The complainant requested the Council to take stern action against the respondent.

#### No Written Statement

A Show Cause Notice was issued to the respondent Editor, DainikJagran on 15.11.2010 but no written statement was filed.

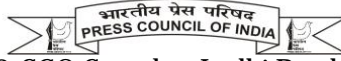
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#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. No one appeared for the Complainant. Shri B.K. Mishra, Advocate appeared for the respondent. The Inquiry Committee noted that no one had appeared to press the complaint therefore it decided to dismiss the complaint for default.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dismiss the complaint.



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Sl. No. 13

F.No.14/693/10-11-PCI

Dr. Kunwar Virendra Pratap Singh,  
C/o Shri Anil Kumar, Advocate,  
Sasaram, Bihar

vs.

The Editor,  
Hindustan  
Patna.

#### Adjudication

This complaint dated 22.3.2011 has been filed by Dr. Kunwar Virendra Pratap Singh through Advocate, Shri Anil Kumar against the editor, Hindustan, Patna for publication of allegedly false, malicious and defamatory news item under the caption “**Afsaron se milkar becha gaya khel kaa maidaan**” (Play Ground sold in connivance with officers- English translation) in its issue dated 4.1.2011. According to the complainant, it was reported in the impugned news item that some part of land of College was sold by land mafia whereas the matter is pending in the Court. It is also reported in the impugned news item that the complainant had sold to Shri Baijnath Singh, the land which is the part of the sport field of the college.

Denying the allegations levelled in the impugned news item, complainant submitted that he has a piece of land near A.S. College, B. Karamganj (Rohatas in Bihar) purchased through registered deed in 1965 and his name exists in revenue records of the Government and he paid all the government taxes for the land. The complainant submitted that due to publication of the impugned news item, his reputation is damaged in the society and among his friends. The complainant vide legal notice dated 13.1.2011 drew the attention of the respondent editor but received no response. The complainant has requested the Council to take necessary action against the respondent.

#### No written statement

A Show Cause Notice was issued to the respondent editor, Hindustan, Patna on 13.10.2011 but no written statement has been filed so far.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. Shri Sudarshan Singh, Advocate appeared for the complainant. Shri Arun Pathak, Advocate appeared for the respondent. The Inquiry Committee noted that the complainant is aggrieved by publication alleging that old land belonged to the school. The District Judge Sasaram is shown to have recorded that the complainant is the owner of the land. The Inquiry Committee directed the respondent to publish rejoinder of the complainant that he is lawful owner of the land and they were not aware of the judgment of the District Judge in this case. The Inquiry Committee decided to dispose of the case with aforesaid directions.

Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts and adopt the report of the Committee and decided to dismiss the complaint.



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Sl. No. 14

File No. 14/706/10-11-PCI

Dr. MurgeshVaishnav,  
Consulting Psychiatrist & Sex Therapist,  
Ahmedabad (Gujarat).

vs.

The Editor,  
Sandesh, Gujarat Daily,  
Ahmedabad (Gujarat).

#### ADJUDICATION

This complaint dated 11.2.2011 had been filed by Dr. MurgeshVaishnav, Consulting Psychiatrist and Sex Therapist, Ahmedabad against the editor, Daily Sandesh, Gujarati Daily for publication of highly objectionable, baseless and defamatory news item under the caption "The Staff of a Five Star hotel interrupted to settle the issue' In a Launching ceremony of a drug for delaying Ejaculatory capacity two sexologist fought" in its issue dated 14.12.2010. It has been reported in the news item that in a ceremony to launch new medication to increase sustaining capacity in Ahmadabad city, heated arguments between the two experts took place. During this, a local expert lost his cool up to an extent that the management of the five star hotel to intervened to calm down this expert. A doctor who attended this seminar commented that this local specialist lost his sustaining power of the brain. It has also been published that after completing the lecture of this drug (Depoxetil) Dr. Kothari invited the delegates of the seminar to ask if they have any questions, before anybody started asking the question Dr. MrugeshVaishnav personally targetted Dr. Kothari and started accusing him.

The complainant vide his letter dated 20.12.2010 drew the attention of the respondent editor and started that he was the ex-columnist of his newspaper and contributed substantially in circulation of his newspaper and discontinued to write columns due highly insulting behaviour by the 'Sandesh'. He requested the respondent to publish his clarification but received not response.

#### Written Statement

Show Cause Notice was issued to the respondent editor, Sandesh on 24.5.2011. The respondent in written statement dated 28.6.2011 has denied the allegation levelled by the complainant. The respondent has stated that the communication of the complainant dated 20.12.2010 was not received. He furtherstated that the publication of such news item can never be termed objectionable by any standard. He has submitted that a medical conference was held at Ahmedabad on 11.12.2010 and more than 300 sexologist of the city gathered in a Five Star Hotel and during the seminar Dr. Prakash Kothari addressed the audience on the subject matter. During the conference hot discussions took place between the complainant and speaker Dr. Kothari which

resulted and converted into big chaos in the seminar. He has stated that the complainant in his letter dated 20.12.2011 himself confirmed it. He added that there was nothing wrong in publication the same news item and it was duty of the press to bring the same to the notice of the public at large.

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#### Counter Comments

In his counter comments dated 3.7.2011 the complainant reiterated that the news published by the respondent was objectionable, defamatory and violation of individual's constitutional rights and requested the Council to direct the respondent to refrain from malpractices against him in future.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. Neither the complainant nor the respondent were represented. The Inquiry Committee noting that no one appeared to press the complaint, decided to recommend to the Council dismiss the complaint for default.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dismiss the complaint.



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Sl. No. 15-16

F.No.14/95-96/10-11-PCI

ShriKiran Shankar Sahu,  
Wing Commandar (Retd.),  
President, Kendujhar Citizens'  
Forum, Keonjhar, Orissa.

The Editors:  
(i) TheSamaja; and  
(ii) Prajatantra

### **ADJUDICATION**

This complaint dated 5.5.2010 was filed by Wing Commander (Retd.) Kiran Shankar Sahu, Utkal Minerals Pvt. Ltd, Keonjhar (Orissa) against (i) The Samaj and (ii) Prajatantra for publication of allegedly false and defamatory news items under the caption “open stealing of water from river” and “Behind the mask of social service, industrialists suck water” in its issues dated 1.5.2010 and 3.5.2010 respectively. It has been alleged in the impugned news items that the complainant’s Forum has been stealing water from Ardei River openly and this has become the focal point of deliberation/discussion amongst the general public. The impugned news item stated that an inquiry reveals that a mid sized powder factory located at Banpar village of KeonjharSadar block has been sucking water for their powder production unit without Government permission from this steam with the help of two pipes and motor. The smoke and dust released from the powder production unit has been disturbing the villagers. There was a detailed investigation conducted on this subject.

Denying the allegations leveled against him in the impugned news items the complainant submitted that without naming him directly the respondents, who never visited their powder unit or his house nearby, had cast serious aspersions in unacceptable language in their so called investigative reports. According to the complainant, their small scale unit is located close to Keonjhararh on the bank of ArdeiNala providing employment for about 200 families with low skilled jobs. It does not use any water whatsoever in the manufacturing process. They have a bore well within their premises to meet out the requirement of drinking water and other needs, therefore, the allegations of stealing water for his industry is totally false. The complainant has submitted that a slow flowing reservoir created by a very low height about 80 cm high cross bund on Afdei bed, was made by him in 2004, creating a pool of water utilized by hundreds of men, women and children of nearby villages for their daily chores. The pipe line shown in the photograph was for his small 80 decimal orchard surrounding his house, where he lives. The complainant has further submitted that drawing water from the river for such purposes is not illegal. He had however, a dug well within his premises which fully meets his total domestic need. The so called swimming pool is a large puca tank, a left over from

construction days, where the village children learn swimming in rainy season. It is left dry even before winter every year and now, like in all other years the branches of the

-2-

mango tree with fruits are hanging into the dry and empty pond. The complainant alleged that some of these newspapers have been reporting the activities of their "Citizens Forum", an apolitical forum of the civil society of their district, in a positive light since their inception 11 years ago, espousing the cause of their very backward but rich district. Therefore, their members are quite surprised by such ugly insinuations and offensive words, targeting citizens' forum due to elected as President for the forum only a week ago. The complainant has further alleged that some powerful interest groups are using these newsmen to malign them because they are unhappy with many things and deeds that their citizens' forum in lobbying and advocating for, which do not quite much their interest. The complainant has submitted that he sent rejoinders to the respondent editors on 5.5.2010 but received no reply till date. The complainant has further submitted that one ShriSarat Jena of Prajatantra visited his house and conveyed profuse apology for wrong reporting and confessed to receive the news item from secondary source and never ever visiting the place or taking picture. Ultimately he declined to publish an apology or even correction in the newspaper saying this cannot be done just because their names are not mentioned in the news item. The complainant requested the Council to take necessary action in the matter.

A Show Cause Notice dated 18.6.2010 was issued to the respondents.

#### Written statement of Prajatantra

In response to Council's Show Cause Notice the respondent editor, Prajatantra vide his written statement dated 16.7.2010 while denying the allegations levelled by the complainant submitted that the impugned news item was published on the basis of the news sent by one of the correspondent keeping in view interest of public interest. The gist or summary of the said news veers around that on the basis of a policy decision taken by the State Government that no industry shall be allowed to use river water. It was alleged that the water from the said river was taken without any license required to be taken under Orissa irrigation Acts & Rules (Amended) 1994. Therefore, it is obvious, that taking water from the said river through pipeline is not in the public interest. The respondent further submitted that the local authority seems to have been colluded with the complainant and didn't take any action for which it was necessary to publish the same for appropriate action. Thus, to enlighten the public and to safeguard the interest of the locality was the only purpose and there was no malice or personal vendetta against the complainant. The respondent concluded that the news item was published in the interest of the general public and while publishing the said news item has no aspersion has been made against anybody, rather the newspaper as the spokesperson for the citizens has only published the bare facts. The respondent requested to reject the complaint.

A copy of the written statement was forwarded to the complainant on 21.7.2010 for information/counter comments, if any.

#### Counter comments

The complainant vide his counter comments dated 30.7.2010 while denying the allegations of the respondent Prajatantra submitted that the respondent produced wrong translation of the impugned news item. He has further submitted that the respondent also attempted to moderate the abusive reference to (Mask or Mukhotain the news report) his social service record as an active member and now also President of

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KenjujharNagrikManch. The complainant requested the Council to take necessary action against the respondent.

A copy of the counter comments was forwarded to the respondent vide letter dated 5.8.2010 for information.

#### Written statement of Samaja

In response to the Council's Show Cause Notice dated 18.6.2010, the respondent editor, Samaja, in his written statement dated 28.1.2011 too denied the allegations levelled by the complainant and stated that the industry and the farm house are situated in one campus surrounded by a compound wall of 6ft high and one gate with security personnel who never allow anybody to enter into the premises except the owner and the employees. He further stated that save and except a sign board of the industry, the name of the industrialist or the proprietor was not displayed in anywhere to ascertain the name of the industrialist therefore he has no malafide intention in not disclosing the name of the industrialist. He has further stated that no abusive language was ever used in the news item with a purpose to defame any individual or institution and no intention to defame or disrepute the complainant. He alleged that the complainant has not taken any permission from the Minor Irrigation Department and Tahsildar (designated as Irrigation Officer) for drawing water from the reservoir for their use. In fact, the villagers has brought the matter to the notice of the Collector regarding the inaction of Irrigation Department. He has further stated that the children of a poor village never used or learned swimming as claimed by the complainant. The respondent clarified that he has absolutely no intention to disrepute and defame the complainant in the public and the news item was based on the public petition in order to highlight their resentment. The respondent concluded that the news item was based on the public petition and information furnished by local people, the allegation of the complainant is baseless and not correct and requested to drop further proceedings in the matter.

A copy of the written statement received from the respondent editor, Samaja was forwarded to the complainant on 8.2.2011 for information/counter comments, if any.

#### Counter comments

In response to the Council's letter dated 8.2.2011 the complainant vide his letter dated 7.4.2011 filed his counter comments and stated that he had carried out a search for signatories of the 'Representation' in the village with the help of the villagers and found NONE, thus the names appeared to be ghost names. He had brought at least 3 Tahsildars and 2 MI Exec. Engineers along with their staff to the site not to bribe them as alleged in the news report but to demonstrate the possibility of such large scale benefits by low cost

cross dams. The Government of Odisha has now decided to create multiple cross dams in all mountain streams in large numbers to hold the monsoon run of water.

A copy of the counter comments was forwarded to the respondent editor, Samaja on 13.5.2011 for information.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. The complainant was not present however, vide letter he requested that due to old age it is difficult for him to appear personally before the Inquiry Committee and requested that the matter may be decided on the basis of records. Shri Biraja Mahapatra appeared for the Respondent Samaj, no one appeared for respondent Prajatantra. The Inquiry Committee noted that the respondent appearing for the Samaj submitted that it

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held no malafide and if the complainant provided them gist of the complaint/rejoinder they are ready to publish the same. The Inquiry Committee took the after on record directing the respondent to publish the same at the earliest and it gave similar direction to the second respondent Prajatantra and recommended to the Council to dispose of the matter accordingly.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dispose the complaint with the above direction.



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Sl. No. 17

F.No.14/138/10-11-PCI

Shri R.K. Agarwal,  
Managing Director,  
Hi-Tech Chemicals (P) Ltd.,  
Jamshedpur.

The Editor,  
PrabhatKhabar,  
Jamshedpur.

#### ADJUDICIAION

This complaint dated 5.6.2010 was filed by Shri R.K. Agarwal, Managing Director, Hi-Tech Chemicals (P) Ltd., Jamshedpur (Jharkhand) against the editor, PrabhatKhabar, Jamshedpur for publication of an allegedly false, misleading and malicious news item captioned “**R.K. Aggarwalke business sthal par sales tax kaa survey**” in its issue dated 19.5.2010. The complainant alleged that it was published in the impugned news item that Sales Tax Department has conducted a survey at Business Establishment of the Industrialist Mr. R.K. Aggarwal. The purpose of this survey was to find out his business income and expenses and also to find whether if he has been carrying out his business in proper manner or not. According to the complainant it was also stated in the impugned news item that actual business of Mr. R.K. Aggarwal is much more spread out than what it is projected to be and amount reflected. Transactions related to other matters have also been found out. It was also published in the impugned news item that some irregularities found, hence nothing could be commented now.

Denying the allegations the complainant submitted that a survey by the Sales Tax Department of Jharkhand was conducted in their group company Hi-Tech Chemicals Pvt. Ltd.,thoroughly. The complainant also stated that after conducting their thorough investigation a certificate was issued by the competent authority of the Sales Tax Department stating that no discrepancies could be found in transaction in whole of the company. The complainant further submitted that after publication of the impugned news item by the respondent newspaper on 19.5.2010, he conducted a press conference on 20.5.2010 to clarify their position. The complainant vide letter dated 30.6.2010 drew the attention of the respondent editor towards the impugned publication and demanded explanation for this act. The complainant further submitted that other newspapers like Uditvani and DainikJagran published his version but the respondent neither published his version nor disclose the source of information. The complainant requested the Council to take stern action against the respondent newspaper.

#### Written statement

In response to the Council’s Show Cause Notice dated 8.9.2010 the respondent editor, PrabhatKhabar, Jamshedpur vide his written statement dated 23.9.2010 submitted that

they have published the news item in general terms. The respondent also submitted that they published the information gathered by their reporter from the Sales Tax Department. The respondent further submitted that the complainant in his press conference on 20.5.2010 clarified their position which was also published in their

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newspaper word to word in which the complainant shows that the Sales Tax Department gave them clean chit. The respondent denied any intention to harm anyone or malign the reputation of the complainant in the eyes of the public.

A copy of the written statement was forwarded to the complainant on 13.10.2010 for counter comments.

#### Counter comments

The complainant in his counter comments dated 27.11.2010 stated that the respondent has not addressed about his main concern. The respondent in their report dated 19.5.2010 published that irregularities have been unfolded in the records of Hi-Tech Chemicals and Jayshree Motors Pvt. Ltd. during the survey by Sales Tax Department. He further submitted that the question was where from the respondent gathered the findings of irregularities. The false reporting tarnished his image as an Individual and a Business House.

A copy of the counter comments was forwarded to the respondent on 13.12.2010 for information.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. Shri Shiv Kumar Choudhary, G.M. (Finance & Accounts), Hi-Tech Group, Jamshedpur appeared for the complainant. Shri Ranjeet Prasad Singh, Resident Editor, Prabhat Khabar, Jamshedpur appeared for the Respondent. The Inquiry Committee heard the parties and perused the records of the case and noted that subsequent to the impugned report along with the respondent had published the version of the complainant in compliance with journalistic ethics. The Inquiry Committee was of the opinion that in the absence of any malafide publication of version, no case for grievance survived. It decided to dismiss the complaint.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dismiss the complaint.



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Sl. No. 18

F.No.14/113/10-11-PCI

Shri Noor Hassan,  
State President, Samta Party  
Gulzar Bagh,  
Jharkhand.

vs.

The editor,  
Prabhat Khabar,  
Jharkhand

### **ADJUDICATION**

This complaint dated 20.5.2010 was filed by Shri Noor Hassan, State President, Samta Party, Jharkhand against the editor, PrabhatKhabar for publication of baseless and misleading news item under the caption “**Gulzaar Bagh: Chaakubaazi kand ne tool pakda**” and “**Sapa Adyakshkebhahi ne baalak ko chaaku mara**” in its issues dated 22.4.2010 & 23.4.2011, respectively. It was stated in the impugned news item that the incident of stabbing in Gulzar Bagh locality has sparked fire and the local public demanded action against Sh. Noor Hasan. It was also alleged that the police had not done their work properly and instead kept on asking the patient and his family members regarding the incident which caused inconvenience to them.

The complainant while denying the allegations levelled in the impugned news item stated that the respondent is trying to malign his image of the respondent as he is a renowned politician. He further alleged that the news item was published intentionally to defame him in public. In response to his various letters to the editor and the editor replied that local correspondent of Gaudda intentionally published both the stories for which he was terminated from that post. The complainant stated that the editor has not terminated his correspondent yet. He requested the Council to take necessary action against him.

A Show Cause Notice was issued to the respondent editor on 26.5.2011 for his written statement.

#### **Written Statement**

The respondent editor vide his written statement dated 10.6.2011 has stated that he had published the news item dated 22.4.2010 on the basis of the FIR registered against the complainant’s brother Shri Shohaib Aalam in this case. Another news item dated 23.4.2010 was published on the request of the affected and other locality members. He further submitted that he sent a letter to the complainant on 10.5.2013 informing that he directed his correspondent to give clarification in the matter. While the services of the correspondent Md. Imtaz were disposed with thereafter, no action was warranted against the other correspondent Shri Nirebh Kishore as he had not sent the report.

A copy of the written statement was forwarded to the complainant on 30.6.2011 for his counter comments.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. No one appeared for the complainant. Shri Sanjay Misra, appeared for the respondent, Prabhat Khabar. The Inquiry Committee noted that the complainant was not present to press his complaint, it therefore decided to recommend to the Council to dismiss the complaint for default.

### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dismiss the complaint.



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Sl. No. 19

F.No.14/513/10-11-PCI

ShriBiswajitPattnaik,  
Surya Filling Station,  
Talchar, Angul,  
Orissa.

The Editor,  
SAMAY,  
Oriya Daily,  
Orissa.

#### ADJUDICATION

This complaint dated 24.9.2010 was filed by ShriBiswajitPattnaik @ ChhaganPattnaik, owner of Surya Filling Station Talchar, District-Angul, Orissa against the editor Samay, Oriya daily for publication of allegedly false, defamatory and motivated news item on 20.6.2010 under the caption “Mahila Police S.I. Durbyabahar Surya Petrol Pump MalikaChhaganPattnaikAtaka”. It was reported in the impugned news item that as per information received from Talchar Police Station the owner of Surya Filling Station was apprehended and detained in Talchar Town P.S. for misbehaving with the S.I. of Police Smt. SmrutiParvaPradhan. It was also reported that the petitioner was apprehended from his filling station and was taken to police station and when the petitioner begged unconditional apology only then was he released from the police station.

Denying the allegations leveled in the impugned news item, the complainant submitted that no such occurrence took place on the alleged date. He further submitted that the impugned newsitem is absolutely false and defamatory, published with a deliberate intention of tarnishing the image of the petitioner for ulterior motive. The alleged story of impugned news item is total falsehood and imagination as there was no such FIR was lodged to this effect in the concerned police station. The complainant sought information under the RTI Act on 3.7.2010 from the office of PIO-cum-Sub-Divisional Police Officer, Talchar regarding lodging of any FIR in the concerned Police station. On 18.7.2010 vide letter No.989/SDPO, the complainant was intimated that no case/FIR has been registered against him at Talcher P.S. from the period 1.6.2010 to 30.6.2010 except a station diary entry vide SDE No.445 dated 18.6.2010. The complainant has requested the Council to take appropriate action against the respondent.

#### Written statement

In response to the Council’s Show Cause Notice dated 8.3.2011, the respondent, Chief Editor, The Samaya, Orissa vide his written statement dated 13.4.2011 denied the allegations levelled by the complainant and submitted that there was no ulterior motive behind the publication of the impugned news item. It was a simple report of an incident which took place in the local area and the police station. The impugned news item does not state that he was made to offer unconditional apology and there was no mention that a

case was registered also the station diary does contain the sentence –“ChanaPattnaik owner of the petrol pump, came to her (lady ASI of Police) and had a hot discussion.” Heated discussion by the petrol pump owner inside the police station was

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an issue of news in a rural area and it was published without any intention of tarnishing the image of the complainant. The respondent asserted that the newspaper reported an incident which was true and there was no intention of defaming any one.

A copy of the written statement received from the respondent was forwarded to the complainant on 2.5.2011 for counter comments, who reiterated his charges.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. Shri Ashok Panigrahi, Advocate along with Shri Biswajit Patnaik appeared for the complainant. Shri Patitapaban Mohapatra, Printer & Publisher appeared for the Respondent. The Inquiry Committee heard the parties and noted that respondents were ready to publish the version of the complainant with due prominence. The Inquiry Committee dispose off the matter in terms of the assurance given by the respondent.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dispose off the complaint as above.



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Sl. No. 20

File No.14/628/10-11-PCI

Smt. HajiyaniNeelofarKhanam  
P.O.Katabanji  
District Balangir  
Odisha

Editor  
TheSamaya  
Odisha

### ADJUDICATION

This complaint dated 11.11.2010 has been filed by HajiyaniNeelofarKhanam, against “The Samaya”, Oriya daily for publication of an allegedly false, scandalous and defamatory news item under the caption “Rehabilitation of B.J.D. Leaders in corporations-Leaders with bad reputation are not excluded” (English translation in its issue dated 13.10.2010. The gist of the impugned news item reads as follows:

“...Mr. Khan has managed to obtain grant from five members of Parliament from Lok Sabha and Rajya Sabha above 50 lakhs to contracted Muslim Jamat Community building on his own recorded land... Mr. Khan had sworn false Affidavit regarding divorce with his first wife and further he had managed to remain as Chairman of Kantabanji Municipality”... “Balangir District Police had refused gun License to Mr. Khan but he has obtained gun license and passport by furnishing false address... Mr. Khan was blamed for having some connection with an accused involved in Bhopal Bomb Blast... Mr. Khan was removed from Wakf Board on the allegation of irregularities... Mr. Khan was defeated in the last election for his ill deed and ill reputation”.

Denying the allegations, the complainant has alleged that the impugned news item is totally biased, politically motivated and published with the motive to tarnish her and her husband's image in the public. She has further alleged that the entire news item and the information contained therein is clearly untrue, incorrect and highly defamatory, which impaired and prejudicially affected their fair names, status and estimation. The complainant has also alleged that the respondent deliberately tried to demean and defame her and the approach of the respondent is casual, petty, unsearched and unverified.

The complainant has submitted that she sent point-wise rejoinder dated 19.10.2010 to the respondent through her advocate. The respondent expressed his regret over the matter in its issue dated 26.10.2010 which read as follows:

“Mr. Mohanlal Sharma, Advocate on behalf of Haji Mohd. Ayub Khan, Ex-MLA, Kantabanji and Mr. Debaraj Sai, Advocate, on behalf of HajiyaniNeelofarKhanam, W/o Haji Md. Ayub Khan have sent some reliable documents to “Samaya” indicating that the information given in the news item published in Samaya on 13.10.2010 are not correct. We are sorry for

publication of this news in spite on our unwillingness. It was not the intention of “Samaya” to dishonour Haji Md. Ayub Khan by this news.”

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The complainant vide her letter (through advocate) dated 4.11.2010 to the respondent has stated that they have failed to express their regret over the matter in “The Samaya” in right prospect as they did not publish the clarification with due space and prominence and also did not publish in the front page as desired. The complainant has further submitted that the rejoinder published was merely eyewash, published in a corner giving insignificant space which is grossly inadequate to grab the attention of readers and requested the Council to take necessary action in the matter.

#### Written statement

In response to Show-Cause notice dated 23.3.2012, the respondent in his written statement dated 23.4.2012 has denied the allegations levelled by the complainant. He submitted that news-item published on 13.10.10 was based on the report received from the reporter and there was no intention to affect the image of the complainant and the news-item published was at the larger interest of the society. The respondent submitted that the complainant enjoys a high profile reputation & goodwill and expressed regret for publishing such news-item. Further, the assignment of the news-reporter has been terminated which established that the Samaya had no malafide intention against the complainant. As soon as the publication of the news-item in question was brought to their notice, they published regret in The Samaya on 26.10.2010. A copy of the written statement was forwarded to the complainant on 9.5.2012. No reply has so far been received.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 16.7.2013 at New Delhi. Shri Sanjeeb Panigrahi appeared for the complainant. Shri Patitapaban Mohapatra, Printer & Publisher appeared for the Respondent. The Inquiry Committee heard the parties and perused the records of the case. The Inquiry Committee was satisfied that the impugned news item contained serious allegations against the character of the complainant without basis. The Inquiry Committee directed the respondent to publish unconditional apology in his newspaper at a prominent place at the earliest and file a copy of the same with the Council as well as the complainant for information. With above directions the Inquiry Committee disposed off the complaint.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons and adopt the report of the Committee and decided to dispose off the complaint with above terms.



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Sl. No. 21

F.No.14/567/09-10-PCI

Shri Suresh Chandra Johri,  
Eye Consultant,  
District Hospital,  
Bijnor.

Vs.

The Editor,  
Royal Bulletin,  
Bijnor.

### **Adjudication**

This complaint dated 13.1.2010 was filed by Dr. Suresh Chandra Johri, Eye Consultant, District Hospital, Bijnor against Royal Bulletin, Bijnor for publication of allegedly false, misleading and defamatory news item captioned “कक्ष में युवती के साथ पकड़ा गया डा० जौहरी” in its issue dated 21.7.2009. It was alleged in the impugned news item that the complainant was caught red handed by the police with a college student in a compromising position. Allegation of misappropriation of money in the department and also levelled against the complainant. The complainant, while denying the allegations, alleged that the respondent deliberately published false and misleading news with the motive to tarnish his image in the society. According to the complainant that said girl came to meet his colleague Dr. Gyanchand, who was not present at that time. So he allowed her to wait in his attached room. Allegation of extortion of money in the garb of journalism also levelled against the respondent.

Show Cause Notice was issued to the respondent editor, Royal Bulletin on 29.3.2010 but no reply is filed.

Following are adjournment of 27.8.2012, the matter again came for hearing before the Inquiry Committee on 20.2.2013 at New Delhi. Shri Suresh Chander Johri, the complainant appeared for the hearing. None appeared for the respondent. The Inquiry Committee noted that the respondent has not filed his written statement. The complainant sought publication of contradiction in Royal Bulletin. The respondent consented to publish the version but not a contradiction. The Inquiry Committee thus decided to grant one month's 'time to file his written statement serving a copy on the complainant. With these directions, it decided to adjourn the case.

### **Report of the Inquiry Committee**

Lastly the matter came up for hearing on 23.7.2013 at Varanasi. Dr. Suresh Chander Johri complainant appeared in person and reiterated his charges whereas none appeared on behalf of the respondent.

The Inquiry Committee noted that very serious allegations have made against the character of the complainant in the respondent newspaper. No written statement has been filed in reply to the complaint and hence the allegations in the complaint are taken as

correct. Accordingly the Inquiry Committee allowed the petition and passed Admonition and Censure Order against the respondent newspaper, Royal Bulletin. It reported to the Council accordingly.

#### Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts the reasons and adopts the report of the Committee and decides to admonish and Censure the respondent newspaper Royal Bulletin for incorrect and defamatory report and denial right of reply. It also directed to send a copy of the decision to the DAVP, RNI and Director, Information and Public Relations Department, Government of Uttar Pradesh for the action as they deem fit in the matter.



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Sl. No. 22

F. No.14/266/9-10-PCI

Shri Amarkant Singh,  
District Basic Education Officer,  
Gonda.

vs

The Editor,  
Amar Ujala,  
Lucknow.

#### Adjudication

This complaint dated 8.5.2009 has been received from Dr. Amarkant Singh, District Basic Education Officer, Gonda against the editor Amar Ujala, Lucknow for publication of allegedly false, baseless and defamatory news item under the caption **“kaun daal raha naunihalo ke nivaale par daka- ghotala 1.66 lakh chhaatro ke mid-day meal kaa mamla”** and **“sirdard bana aadhyapako ko nilambit karna”** in its issues dated 30.3.2009 and 17.4.2009 respectively. It is stated in the first impugned news item that misrepresenting the number of children enrolled in primary and high school, the Basic Education Department has fudged the funds granted for the children’s mid-day meal programme. In the second news item it is stated that the suspension of more than one & half dozen teachers during Election Code of Conduct has become headache for the District Basic Education Officer which this led to a commotion in the Education Department. After getting complaint in this regard the Election Commission sought report from the District Magistrate and District Electoral Officer.

Denying the allegations levelled in the impugned news items the complainant stated that the number of children enrolled in Primary school and high School of Janpad Gonda was 3,34,587 and 63,143 as against of 2,20,376 and 42,632 as published in the impugned news item. The complainant submitted a list of children enrolled in school. The complainant submitted that due to publication of the impugned news item the respondent misled the general public as well as departmental officers and senior officers asked him to give clarification. The complainant submitted that the news item were totally false, baseless

and maligned his reputation in the society. The complainant drew the attention of the respondent towards the impugned on various occasions but received no response.

No Written Statement

A Show Cause Notice was issued to the respondent Editor, Amar Ujala, Lucknow on 30.11.2009 but no written statement has been filed despite issuance of reminder dated 28.1.2013.

Report of the Inquiry Committee

The matter was listed twice for hearing on 19.2.2013 and again came on 23.7.2013 at Varanasi. None appeared from either side. The Inquiry Committee therefore recommended to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 23

F.No.14/519/09-10-PCI

Shri Ritjuraj Shukla  
Director, M/s Kapil Ganga T.V. and  
Shri Ashok Kumar Shukla,  
Excise Inspector, Basti (U.P.).

vs

The Editor,  
Bismil Weekly,

### Adjudication

These two separate complaints dated 15.12.2009 and 23.12.2009 have been filed by S/Shri Rituraj Shukla, Director, M/s Kapil Ganga T.V. and Ashok Kumar Shukla, Excise Inspector, Basti against Bismil Weekly for publishing false and defamatory news article under the caption “**15-16 varsho mein aabkari inspector ki aukaat dharti se aasman pahuchi**”(In 15-16 years status of Excise Inspector raised drastically) in its issue dated 28.9.2012. It has been alleged in the impugned news article that many complaints are registered against the complainant with senior officers regarding assets disproportionate to his income. It is also stated in the impugned news article that the brother of the complainant got his job in Eastern Railway by giving bribe of Rs.20 lacs.

Denying the allegations levelled in the impugned article the complainant stated that the news article published in Bismil Weekly is totally false and defamatory. The complainant also submitted that the inquiry report of Deputy Superintendent of Police is malafide and biased to malign the image in the society and friends. The complainant submitted that he drew the attention of the respondent towards the impugned publication on 10.11.2009 but received no response.

The respondent vide written statement dated 15.5.2010 while objecting to non compliance with requirements of the Inquiry reputation and denying the allegations levelled by the complainant submitted that the complainant knew in advance about the impugned publication. The respondent submitted that on 5.10.2009 the complainant threatened him over the telephone and on 10.11.2009 through letter that he will initiate action against him in Press council of India. The respondent further submitted that he has received a legal notice dated 11.11.2009 from the complainant and replied on 30.11.2009. The respondent also submitted that whatever published in the newspaper was factually correct and in public interest there is no ill intention behind the publication of the impugned news item.

The complainants vide letter dated 29.6.2010 submitted that the written statement is false and fabricated. He further submitted that the news item was published to malign his

image in the society and friends and facts published are totally twisted, distorted and nowhere related to public interest. This was again countered by respondent on 26.7.2010.

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The matter came up for hearing before the Inquiry Committee on 19.2.2013 at New Delhi. None appeared from either side. The Inquiry Committee perused the letter of Shri Shyamanad, Editor, Bismil Saptahik dated 1.2.2013 which stated that the complainant Shri Rituraj Shukla has expired. It thus directed the Secretariat to issue notice for hearing for the next meeting to second complainant i.e. Shri Ashok Kumar Shukla to appear for the meeting. With these directions, it decided to adjourn the matter.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared for the complainant. Shri Shyamanand Shrivastava, editor, Bismil Weekly appeared for the respondent.

The Inquiry Committee noting the facts above, recommended the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 24

F.No.14/422/10-11-PCI

Shri Rajesh Kumar,  
Ramabai Nagar,  
Kanpur.

vs

The Editor,  
Hindustan,  
Kanpur.

### Adjudication

This complaint dated 5.10.2010 has been filed by Shri Rajesh Kumar, Ramabai Nagar, Kanpur against Hindustan, Kanpur for publication of allegedly false, baseless and misleading news item under the caption “**police ne thaane se hi choda jholachaap ko**” (**Police released the quack from the police station**) in its issue dated 5.10.2010. It is stated in the impugned news item that people of the district S/Shri Ramavtar Katiyar, Rajesh @ Bobby Katiyar and Dipu Katiyar have informed Dr. Shyam Suri, who had started campaign against the quacks, that quack Dr. Mailkoo Lal has once again started his clinic, but Dr. Shyam Suri did not take any action against him.

Denying the allegations the complainant submitted that neither had he informed Dr Suri nor he knows anything about the incident, but the reporter of the respondent newspaper has published his name without his consent. He drew the attention of the respondent towards the impugned news item on 21.9.2010 but no response has been received.

### No Written Statement

A Show Cause Notice was issued to the respondent Hindustan on 12.1.2011, but no written statement has been filed despite issuance of reminder dated 28.1.2013.

The matter first came up for hearing before the Inquiry Committee on 19.2.2013 at New Delhi. None appeared for the complainant. Shri Arun Pathak, HT Media Ltd appeared for the respondent. The respondent filed an affidavit in which the complainant has stated that someone has filed a fake complaint against the respondent in his name and he has no objection to any publication of the newspaper Hindustan and requested to dismiss the complaint. It directed that the affidavit shall be taken in record. The respondent may file written statement within a month. It also directed to send a copy of the affidavit to the complainant for confirmation.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared for the complainant. Shri Loknath Singh, Manager, HR appeared for the respondent. Affidavit filed by the respondent was taken on record. The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 25

F.No.14/622/10-11-PCI

Mohd. Taiyab Palaki  
Chairman  
Nagar Palika Parishad  
District Mau, Uttar Pradesh

vs

The Editor  
Brahmlekhani  
District Mau  
Uttar Pradesh

#### Adjudication

This complaint dated 28.3.2011 has been filed by Mohd. Taiyab Palaki, Chairman, Nagar Palika Parishad, Mau, Uttar Pradesh against 'Brahmlekhani' Hindi Dainik, for publication of series of allegedly false and defamatory news-items in its various issues.

The news-items reported misappropriation of the funds by Nagar Palika Parishad, spending crores of rupees to clean the city and submitting fake bills of solar light and bulbs purchased in lakhs. It is further alleged of encroachment of Nagar Palika land by their relatives etc. Shri Chotelal Gandhi, corporator also alleged filing of fake vouchers by Nagar Palika Parishad on the work done in the last four years. The complainant's advocate issued a legal notice to the respondent but the respondent only published the legal notice in its issues dated 3.2.2011 and 6.2.2011 without an apology.

The complainant has alleged that the news-items are totally false, baseless, frivolous and defamatory. These have caused grave damage to his social and political reputation in the family, friends and public. The news-items in question are published intentionally to cause irreparable damage to his reputation. The complainant also alleged that the respondent with malafide intentions, tried to blackmail him. Further, the articles are published by the editor, Brahmlekhani without seeking any clarification.

#### Written Statement

The respondent editor vide undated written statement denied the allegations levelled by the complainant and submitted that the publication of the news items in question on the basis of facts and documents. He further submitted that the complainant has threatened to kill him and served a legal notice to pressurize.

#### Report of the Inquiry Committee

Following one adjournment of 19.2.2013 when parties were absent, the matter again came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared from either side. The Inquiry Committee noted that none appeared on behalf of the complainant, it recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 26

F.No.14/506/10-11-PCI

Shri Santosh Kushwaha,  
Organizer, Maiswa  
District Forum, Banda,  
Uttar Pradesh

vs.

The Editor,  
Rashtriya Sahara,  
Kanpur, U.P.

### Adjudication

This complaint dated 23.12.2010 has been filed by Shri Santosh Kushwaha, Organizer, Maiswa District Forum, Banda, U.P. against the Editor, Rashtriya Sahara for publication of false, baseless and defamatory news item under the caption “rakam lekar swyamsevi sanstha wahwahi lutne kaa kar rahi natak” in its issue dated 29.11.2010. It was stated in the impugned news item that ignoring the harassment meted out to females, one social work organization was getting fame by manipulating the records of the government in doing social services and also illegally obtained huge amount of money. It was alleged that an organizer of Maiswa District Forum manipulated the records of the government in order to give fame to his Forum. It was also alleged that one Tehesil Organizer of the Maiswa was harassing the females.

Denying the allegations in the impugned news item, the complainant has stated that the allegations are completely false, baseless and defamatory. He stated that due to these critical publications, the image of his organization was tarnished. He further stated that the respondent by publishing the fake statement of District Forum organizer was spreading misleading information among the public. The complainant has sent a letter to the editor on 16.12.2010 for publishing his version but in vain.

### No Written Statement

Show Cause Notice was issued to the respondent editor on 28.2.2011 for written statement but no written statement has been filed despite reminder dated 5.5.2011.

The matter came up for hearing before the Inquiry Committee on 19.2.2013 at New Delhi. None appeared for the complainant. Smt. Simarnjeet Singh, Advocate appeared for the respondent. The Inquiry Committee heard the counsel of the respondent who stated that the complainant intends to withdraw his complaint. She submitted a letter of Shri Santosh Kushwaha, complainant stating that the complainant is satisfied with action of Rashtriya Sahara and he does not want to pursue the matter further. The Inquiry Committee decided to adjourn the matter for confirmation of the contents as the notice has not been served on the complainant. A copy of the said letter be also provided to the complainant.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared from either side.

The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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PRESS COUNCIL OF INDIA

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Sl. No. 27

F.No.14/429/10-11-PCI

Shri Abhishek Kumar Gautam,  
Meerut.

vs

The Editor,  
Dainik Jagran,  
Meerut.

### Adjudication

This compliant dated 3.11.2010 has been filed by Shri Abhishek Kumar Gautam, Meerut against Dainik Jagran, Meerut for publication of allegedly false, baseless, and defamatory news item maligning the image of his uncle (Shri Prashant Kumar Gautam, District President, BSP Meerut) under the caption “**Baspa ziladhyaksh ke ghar ghamasan**”(Dispute in the house of BSP District President) in its issue dated 31.10.2010. It is stated in the impugned news item that District President of BSP Shri Prashant Gautam trapped in property dispute. Smt. Anita, widow of elder brother of Shri Prashant Gautam, who has been wandering with her baby was debarred from property and she met DIG for protection.

Denying the allegations levelled in the impugned news item the complainant submitted that due to publication of the impugned news item, image of their family is maligned in the state. The complainant further submitted that the matter is not related to public interest and the respondent published the same without pre-publication verification just to malign the image of his uncle to gain undue advantage. The complainant also submitted that his father had only one house which was already transferred in his name way back. The complainant drew the attention of the respondent towards the impugned publication on 1.11.2010 but received no response.

A Show Cause Notice was issued to the respondent Editor, Dainik Jagran, Meerut on 7.3.2011 but no written statement has been filed despite issuance of reminder dated 28.1.2013.

### Report of the Inquiry Committee

Following on adjournment of 19.2.2013 in the absence of parties the matter again came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared from either side.

The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.





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Sl. No. 28

F.No.14/333/10-11-PCI

Shri Upendra Kumar Agarwal,  
Superintendent of Police,  
Mainpuri (Uttar Pradesh).

vs

The Editor,  
Dainik Jagran,  
Kanpur.

### Adjudication

This complaint dated 20.8.2010 has been filed by Shri Upendra Kumar Agarwal, Superintendent of Police, Mainpuri against Dainik Jagran, Kanpur for publication of allegedly false, fabricated and one sided news reports in its various issues that differed from police statement. It was also stated in the impugned news reports that police authorities are not doing their work properly and in connivance of miscreants they are not taking action against them.

Denying the allegations levelled in the impugned news reports the complainant submitted that the respondent published one sided impugned news reports just for cheap publicity. The complainant stated that due to publication of the impugned one sided and false stories the respondent maligned the image of the police in the eyes of the public. The complainant also submitted that he drew the attention of the respondent towards the impugned publications vide several letters (dated 30.8.2010, 10.9.2010 and 2.1.2011) but received no response.

### No Written Statement

The editor failed to file any written statement in the matter.

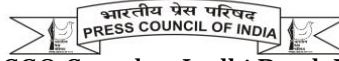
### Report of the Inquiry Committee

Following one adjournment of 19.2.2013 in the absence of parties, the matter again came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared for the complainant. Shri Neeraj Mishra, Advocate appeared for the respondent.

The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 29

F.No.14/466/10-11-PCI

Shri Upendra Kumar Agarwal,  
Superintendent of Police,  
Mainpuri (Uttar Pradesh).

vs.

The Editor,  
Hindustan,  
Mainpuri, Uttar Pradesh.

### Adjudication

This complaint dated 30.10.2010 has been filed by Shri Upendra Kumar Agarwal, Superintendent of Police, Mainpuri against Hindustan's Mainpuri Bureau Chief for publication of allegedly false, fabricated and one sided news reports relating to police attitude towards media covering the election in Mainpuri in violation of the instruction of the Election Commission of India. Some other allegedly critical false reports were also cited. Denying the allegations levelled in the impugned news reports the complainant submitted that the respondent published one sided impugned news reports just for cheap publicity. The complainant stated that due to publication of the impugned one sided and false stories the respondent maligned the image of the police in the eyes of the public. The complainant also submitted that he drew the attention of the respondent towards the impugned publications vide letters dated 30.10.2010 and 2.1.2011 but received no response.

### No Written Statement

A Show-Cause-Notice was issued to the respondent Editor, Hindustan on 1.3.2011 but no written statement has been filed despite issuance of reminders dated 20.10.2011 and 28.1.2013.

The matter first came up for hearing before the Inquiry Committee on 19.2.2013 at New Delhi. None appeared for the complainant. Shri Arun Pathak, Hindustan Media Venture Ltd. Appeared for the respondent and requested for adjournment to file the written statement in the matter. The Inquiry Committee considering the request granted one month's time to the respondent to file written statement with copy to be served on the complainant. The matter is adjourned.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.7.2013 at Varanasi. None appeared for the complainant. Shri Loknath Singh, Manager(HR) appeared for the respondent.

The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 30

F. No. 14/176/10-11-PCI

Shri Dinesh Kumar  
Atrauli  
Aligarh, U.P.

vs

The editor  
Dainik Jagran  
Aligarh, U.P.

#### Adjudication

This complaint dated 17.6.2010 has been filed by Shri Dinesh Kumar, Aligarh, U.P. against “Dainik Jagran” for publication of allegedly false and baseless news-item under the caption “Tera Picha Na Chhorenge Soniye – Atrauli Ka Ek Shikshak Shishya Se Hi Ishq Farma Baitha” in its issue dated 7.6.2010. The complainant has alleged that the respondent published this wrong news-item with his name and address without taking his version. The complainant also alleged that the local correspondent took money from the other side before publishing this news-item. The complainant who is Master of Arts in three subjects & B.Ed is earning his livelihood by giving tuitions to the students. The complainant also alleged that after publication of this news-item, his source of income has stopped. The complainant sent a letter to the respondent on 4.7.2010 requesting him to publish a corrigendum but no action was taken.

A show -cause notice was issued to the respondent editor, Jagran on 12.8.2010 but no written statement has been filed followed by a reminder dated 8.3.2011.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. Shri Dinesh Kumar, the complainant appeared in person. Shri Ashutosh Shukla, Senior News Editor, Dainik Jagran, Varanasi appeared for the respondent.

The Inquiry Committee heard both the parties. When complainant reiterated his grievance and pointed out concerned girl had been kept anyone. The respondent submitted that the affected girl had filed a police complaint against the complainant and her name had not been disclosed to protect her identity. The Inquiry Committee noted that the respondent had rightly protected the identity of the girl and within the report may have been based on police report it would have been advisable to give space to the version of the complainant on the reputation was adversely affected. However in view of the police report the respondent could not be finding guilty of incorrect reporting. It therefore recommended to the Council to dismiss the complaint.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.



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Sl. No. 31

F.No.14/393/11-12-PCI

Smt. Neelam Dubey,  
Farukhabad, U.P.

vs.

The Editor,  
Dainik Jagran,  
Kanpur, U.P.

### Adjudication

This complaint dated 24.11.2011 has been filed by Smt. Neelam Dubey, Farukhabad, U.P. against the editor, Dainik Jagran, Kanpur for publication of her photograph without verification in the advertisement of missing persons to malign her reputation and character in public. She has alleged that when she contacted the respondent editor over the phone and enquired how they could publish such unauthorized advertisement when she was very much at home. The editor told her that there is nothing unconstitutional as this was an advertisement. The complainant through various letters informed the respondent that her husband never gave any material for advertisement to this effect and when her photo was published in the missing people column, she was present with her husband at home and no FIR was lodged in this matter in any police station. She alleged that the respondent neither took any action nor published any rejoinder.

The respondent editor vide letter dated 21.11.2011 addressed to the complainant stated that the material for advertisement was received from Shri Hari Pandit, Sector-C, 4645, Indira Nagar, Lucknow on 12.1.2011 along with the affidavit to publish the photograph. The respondent stated that the publication did not constitute professional misconduct.

### No Written Statement

A Show Cause Notice was issued to the respondent on 10.7.2012 for his written statement but no written statement has been filed despite reminder dated 11.9.2012.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. None appeared for the complainant. Shri Neeraj Mishra, Advocate appeared for the respondent.

The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. Nos. 32-35

F.No.14/267-270/11-12-PCI

Shri Akhtar Rashid,  
Noorkhanpur, S.R. Nagar,  
Bhadohi (U.P.) – 221401

vs.

1. Hindustan
2. Dainik Jagran
3. Rashtriya Sahara
4. Dainik Aaj  
Varanasi (U.P.)

#### Adjudication

This complaint dated 8.9.2011 has been filed by Shri Akhtar Rashid against the editor, (1) Hindustan, (2) Dainik Jagran, (3) Rashtriya Sahara, and (4) Dainik Aaj for publication of allegedly wrong, misleading, derogatory and defamatory news items in their respective issues dated 5.5.2011 under the caption:

Hindustan – “**chaar par Gunda Act, hue zilabadar**”

Dainik Jagran – “**chaar apradhi zilabadar**”

Rashtriya Sahar – “**chaar ke khilaf zilabadar ki karyawahi**”

Dainik Aaj – “**chaar hue zilabadar**”

It has been alleged in the impugned news items that the complainant and three other persons have been ordered by the DM Court, Gyanpur District, S.R. Nagar, Bhadohi to leave the district for six months under Gonda Act.

Denying the allegations, the complainant has alleged that the impugned news items are wrong, derogatory and published with the motive to defame him. According to the complainant, the DM Court has not punished him rather the Gonda Act notice against him has been withdrawn by the DM Court vide its order dated 29.4.2011. The complainant has informed that in a land dispute case there was an FIR by them and a cross FIR by their opposite party who managed Medico Legal done by Dr. R.P. Yadav of CHC, Bhadohi after almost 10 hours of the incident. In the ADJ-I court of Gyanpur, Bhadohi, he asked, through his advocate, about the degree of Dr. R.P. Yadav. He very proudly recorded his statements in the above trial court that he (complainant) must ask this question by UP Government. The complainant has further informed that thereafter he sought information under RTI Act from District CMO, Gyanpur, Bhadohi on 30.11.2009 about the degree of Dr. R.P. Yadav. In response, the District CMO intimated that Dr. Yadav is a BUMS (Unani Degree holder).

According to the complainant, he sent another letter on March 10, 2010 under RTI to the Director General of Health, Lucknow enquiring whether a BUMS degree holder can perform medico legal. In response, the DG health intimated that a BUMS doctor is not authorized to perform medico legal. The complainant has

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informed that he submitted all said documents before the trial court at Gyanpur so that it could help him in his case. Therefore, the opposite party planned with the above doctor and got a fake NCR registered against him (after 6/7 months of his statements in the trial court) so that he could not follow up advocacy of his case and his opposite party could manage everything as they desired. But on July 15, 2010, the trial court decided the case on merit and they were discharged from all the fake allegations and four men of the opposite party were sentenced for three years along with monetary penalties. He further stated that he has sent letters dated 27.7.2011 to all the respondents for publication of an apology but received no reply.

#### Written Statement of Hindustan

The resident editor, Hindustan vide his written statement dated 28.1.2012 while denying the allegations has stated that the news item published intentionally to defame anyone. He submitted that when it came to their notice that the press release by the police is wrong, they published the clarification in its issue dated 21.1.2012 under the caption “*Rashid par nahi laga tha gunda act*” in Hindustan, Bhadohi edition. Therefore, he requested the Council to close the matter.

#### Written Statement of Dainik Jagran

The resident editor, Dainik Jagran vide his written statement dated 4.1.2012 & 29.9.2012 has stated that they have published the news item on the basis of the press release issued by the police about the complainant which found wrong. So they have published the clarification in its issue dated 1.1.2012 under the caption “*Akhtar Rashid ko nahi kiya gaya tha zilabadar*” in his newspaper, Dainik Jagran . He requested to close the matter.

#### Written Statement of Dainik Aaj

The owner & publisher, Dainik Aaj vide his written statement dated 17.12.2012 apologized for the publication of the news item without proper verification and investigation. He further apologized to Shri Akhtar Rashid for the mental agony caused to him.

#### No Written Statement of Rashtriya Sahara

No written statement was received from the respondent Rashtriya Sahara despite reminders dated 5.9.2012 & 15.11.2012.

#### Counter Comments

The complainant vide his counter comments dated 31.1.2012, 19.5.2012 & 10.11.2012 has stated that he needs proper copy of the press release from O/o S.P. Gyanpur. He has stated that he sent a letter dated 27.7.2011 to all the concerned newspapers who printed wrong, misleading and derogatory news on 5.5.2011 but received no response except Amar Ujala. The complainant vide its letter dated 5.3.2012 has expressed his dissatisfaction with the written statement of the Hindustan and the letters shown by the respondent on the basis of which he published the news item. According to the complainant, all the letters are

doctored letters. The complainant also stated that he requested many times for the letter from O/o S.P. Gyanpur but no respondent could produce the required letter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. Shri Akhtar Rashid, complainant appeared in person. Shri Neeraj Mishra, Advocate appeared for Dainik Jagran. Shri Loknath Singh for Hindustan. Shri Virendera Chaturvedi for Rashtriya Sahara and Shri Sashi Kant Tripathi appeared for Dainik Aaj.

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The Inquiry Committee heard both the parties. It noted that the grievance of the complainant is that the newspapers publish a false and defamatory news item. The Inquiry Committee perused the material on record and heard parties in depth. It noted that the press release that formed the basis of the impugned report and not bear any authentication mark. It was neither signed nor bare any Seal of the Department. The papers had also not cared if establish its authentication. Accordingly, the Inquiry Committee allowed the complaint charging or irresponsible behaviour where no case for verification was taken. It directed the four respondents to publish apologies in an equiradly prominent place in their newspapers forthwith. The Superintendent of Police is also directed to inquire and investigate and inform the Press Council as to how the incorrect press release was issued in media in this connection without any signature and ensure authenticity of press release in future.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the complaint with the above direction.



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Sl. No. 36

F. No. 14/671/11-12-PCI

Shri Dileep Singh,  
Managing Director,  
Zalilpur Kisan Sewa Sehekari Samiti Ltd.,  
Bijnaur, U.P.

vs

The Editor,  
'Chingari Visfot Ki'  
Hindi Weekly.

#### Adjudication

This complaint dated 15.2.2012 has been filed by Shri Dileep Singh, Managing Director, Zalilpur Kisan Sewa Sehekari Samiti Ltd., Bijnaur, U.P. against the editor, 'Chingari Visfot Ki', Hindi Weekly alleging publication of the advertisement of his organization without his permission in the newspaper and then threatening him to pay for it. According to the complainant, the respondent newspaper published a greeting message on the eve of Independence Day on 15.8.2011 on behalf of the complainant's organization without any prior permission and after around one month from the date of publication, sent him a bill of Rs. 2,000/- for payment. He further stated that due to financial constraints, he could not pay the same and returned the bill to the respondent with the request not to publish any advertisement without prior permission in future. Despite his specific request dated 20.9.2011, the respondent newspaper once again published another greeting message on the eve of Republic Day in his newspaper on 14.2.2012 and again sent a bill of Rs. 2,000/- to his office which they refused to accept. Annoyed with this, the person who came for the bill threatened him and also abused with caste-related words. He further alleged that the respondent also threatened over phone to implicate him in a false case.

Shri Chandramani Raghuvanshi, Editor, Chingari Visfot Ki vide his undated & unsigned written statement received on 12.9.2012, while denying the allegations levelled by the complainant, stated that the complainant himself gave verbal permission for publication of the greeting message and that is why a copy was sent to him and questioned that had the complainant not asked for the publication of this advertisement then why did he keep quiet from 15.8.2011 to 15.2.2012. Also no news agency would publish any further advertisement had they not received payment for their previous bills. He has stated that the complainant had attached a bill dated 18.8.2011 issued to 'Chandpur Kraya Vikraya Sahkari Samiti' and not a bill issued to 'Zalilpur Kisan Sewa Sehkari Samiti' with his complaint and also stated that he did not receive any letter dated 20.9.2011 from the complainant.

The complainant on dated 1.2.2013 stated that the unsigned reply of the respondent written statement is completely incorrect and baseless. He also denied giving of oral permission to the respondent newspaper to publish the advertisement on 15.8.2011

contending that no newspaper takes oral permission for advertisement and publish it on the same day itself. He alleged that such newspapers are in the habit of

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publishing advertisement without permission for blackmailing the common people and politicians in order to earn money.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. None appeared from either side. The complainant has sent a letter dated 16.7.2013 in which he requested to decide the case on merits as he could not attend the hearing due to finance constrains.

The Inquiry Committee have considered the request of the complainant and perused the records. It noted that the grievance of the complainant is that although no advertisement released by him to the respondent newspaper, yet a bill was sent to him. The Inquiry Committee held as no advertisement was issued by the complainant he could not be asked to pay for it by the respondent who could not establish authority to carry the advertisement.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the complaint as above.



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Sl. No. 37

F.No.14/510/12-13-PCI

Shri Brahma Shanker Tripathi  
Home Guard Minister  
magazine  
Government of Uttar Pradesh  
Lucknow.

vs

The editor  
Tehalka, Fortnightly  
New Delhi

#### Adjudication

This undated complaint has been filed by Shri Brahma Shanker Tripathi, MLA of Kushi Nagar District, and Home Guard Minister, Government of Uttar Pradesh, Lucknow against Tehalka, fortnightly magazine for publishing defamatory and derogatory article in its issue dated 31.8.2012. It has been reported in the impugned news item that in the year 2001, a case of theft under section 382 IPC was lodged against the complainant. In the FIR lodged by the aggrieved it was stated that he had seen Shri Tripathi coming out after the theft. In the impugned news article, it is further submitted that according to Samajwadi Party's sources, Shri Tripathi commands reputation in Eastern U.P. and was appointed minister on the basis of caste lines. Some time ago the previous government had initiated proceedings to withdraw the case lodged against him. Law Department had sent a letter to Deoria administration in the matter and the Deoria administration has not sent its reply to the Law Department.

The complainant specifically, authentically and authoritatively has stated that no criminal case of theft U/S 382 IPC has ever been registered against him. Levelling such a defamatory and derogatory article has lowered his image, prestige and reputation in the society to a great extent. He sent a notice on 5.9.2012 to the respondent to publish a corrigendum in the matter but no heed was paid.

The respondent editor vide his written statement dated 23.11.2012 has submitted that the cause of action for issuance of the notice has become infructuous by virtue of the fact that he has already been issued a corrigendum/clarification dated 15.10.2012 in the column 'Bhool Sudhar' of the Magazine before issuance of the show-cause notice. Moreover, the complainant has also been duly replied vide their letter dated 7.11.2012 and cleared the doubt.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. Shri Suresh Mishra, Advocate appeared for the complainant. None appeared for the respondent.

The Inquiry Committee was informed by Shri Suresh Mishra that the respondent has apologized to the complainant and he is satisfied with the apology. Therefore, he does not want to pursue the matter further. The Inquiry Committee dispose off the complaint being mutually settled.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to close the complaint being mutually settled.



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Sl. No. 38

F.No.14/512/11-12-PCI

Smt. Vimla Devi,  
Spokesperson, Citizen Charter,  
N.D. Inter College,  
Jalalpur, Ambedkarnagar, U.P.

vs.

Prof. Vilas Kharat,  
Chief Editor,  
'Moolniwasi Nayak'  
Lucknow.

#### Adjudication

This complaint dated 16.12.2011 has been filed by Smt, Vimla Devi w/o Shri Ravinder Kumar, Spokesperson, Citizen Charter, N.D. Inter College, Jalalpur, Ambedkarnagar, U.P. against Prof. Vilas Kharat, Chief Editor, 'Moolniwasi Nayak' Lucknow, U.P. for publication of defamatory news item under the caption "**Brahmani aatankwaad kaa asli chehra logon ke saamne aa gaya – Begunaah muslim navyuvako ko mili zamanat**" in its issue dated 7.11.2011. It was stated in the impugned news item that in the Malegaon blast case, the ATS has suspected Brahmani Aatankwaadi group behind this. It was further alleged that Sadvhi Praghya Jha, Lt. Colonel Purohit and Shankracharya Pandey along with 11 other persons arrested in this case. It was also mentioned that these people had a direct link with the Sangh Parivaar and the daughter-in-law of V.D. Sawrakar is also involved in this but she has not been arrested yet.

The complainant while denying the allegations levelled in the impugned news item stated that the respondent first had to explain the definition of 'Brahmani Aatankwaadi' and requested to take necessary action against the editor as he violated the norms of journalistic conduct. She sent an e-mail dated 10.9.2012 to the respondent editor to publish the contradiction but received no response.

The respondent editor Prof. Vilas Kharat, vide his written statement dated 13.2.2013 has submitted that the organization named RSS was formed by Mr. Hadgeward who was a Brahmin by caste. The objective of RSS was to strengthen the Hindus against Muslims. He added that 99.99% of total core formation was communal and till today its actions/operations/campaigns are purely communal. Godse and Apte, who murdered Gandhi, believed in the ideology of the RSS. They have already attempted to kill him 5 times before his actual assassination. He further stated that this terrorist organization of Brahmins is responsible for carrying out all the terrorist acts in India in the name of Hindus. The disciples of this organization had initiated such acts of violence such as demolition of Babri Masjid, genocide of the Muslims in Gujarat in 2002, bomb-blast in Nanded, Dhule and Malegaon etc. The respondent has given selected names of all those whose name have been linked to the bomb-blast done in India and all these criminals were brahmins, except

one. He asserted that the sole objective even to educate the people about the truth and no intention to proliferate communalism or castism.

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#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. Shri Ravindra Kumar Singh appeared for the complainant. Shri J.S. Kashyap, Advocate appeared for the respondent.

The Inquiry Committee heard both the parties and perused the records of the case. It noted the grievance of the complainant for use of the expression 'Brahramani Aqtankwaad' in the news item in question. The Inquiry Committee is of the opinion that linking of terrorism to any caste, creed or religion deserves the highest communalism. Accordingly, the Inquiry Committee allowed the complaint and **Admonished and censured** the respondent newspaper. The Inquiry Committee also directed to send a copy of the decision to the DAVP, RNI and DIPR Govt. of Uttar Pradesh for the action as they deem fit in the matter.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to Admonish and censure the respondent newspaper and directed the Council to send a copy of the decision to the DAVP, RNI and DIPR Govt. of Uttar Pradesh for the action as they deem fit in the matter.



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Sl. No. 39

F.No.14/384/10-11-PCI

Dr. Izaz Ahmed,  
Bareilly, U.P.

vs.

The Editor,  
Hindustan, Bareilly,  
U.P.

### Adjudication

This complaint dated 22.9.2010 has been filed by Dr. Izaz Ahmed, Bareilly, U.P. against the editor, Hindustan, Bareilly, U.P. for publication of false and baseless news item under the caption “*Afsar ko har haal mein nyaay milega - ADG*” in its issue dated 25.5.2010. It was alleged in the impugned news item that the ADG has taken the issue of Shri Afsar Khan seriously and assured him to provide justice. It was also alleged that the police officials falsely tried to implicate Shri Afsar Khan in a case by proving the complainant as innocent, who is an accused in the case, and others.

The complainant while denying the allegations levelled in the news item stated that to test the truthfulness of the news item, he retrieved information from the Deputy Inspector General of Police on 19.7.2010 under RTI Act, 2005 and from Judicial Magistrate, Bareilly whereby both clearly stated that neither they received any request letter from Shri Afsar Khan on 25.5.2010 nor was he sent to jail in case no. 354/2010. The complainant further alleged that the respondent intentionally published the wrong news item in order to give undue advantage to Shri Afsar Khan. He sent a letter to the respondent on 9.8.2010 but received no response.

### No Written Statement

A Notice for Comments was initially issued to the respondent on 25.2.2011 but no response was received. A Show Cause Notice was thereafter issued to the respondent editor on 21.8.2012 followed by reminder dated 23.1.2013 for the written statement but it has not been filed.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. None appeared for the complainant. Shri Nabi Hasan Ansari, Reporter, Hindustan appeared for the respondent.

The Inquiry Committee noted that none appeared on behalf of the complainant and recommended the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



भारतीय प्रेस परिषद  
PRESS COUNCIL OF INDIA

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Sl. No. 40

F.No.14/158/11-12-PCI

Shri Ashok Kumar Walia,  
Saharanpur, U.P.

vs.

The Editor,  
Hindustan, Hindi Daily,  
Meerut, U.P.

#### Adjudication

This complaint dated 9.5.2011 has been filed by Shri Ashok Kumar Walia, Saharanpur drawing the attention towards depiction of photographs of God and Goddesses at in appropriate places during the Australia Fashion Week on 5.5.2011 in its issue dated 6.5.2011. The complainant has alleged that the models are playing with the sentiments of Hindus by wearing of swimsuits depicting Hindu Gods/Goddesses. He also alleged that this type of repetitive and vulgar publicity in the newspaper has a very adverse impact on the general public at large.

The Show Cause Notice issued to Hindustan, Meerut was refused and returned through the postal authorities.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. None appeared from either side despite service of notice.

The Inquiry Committee noted that there was no appearance on behalf of the complainant and recommended the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 41

F.No.14/242/12-13-PCI

Shri Anoop Shramik  
Human Rights Activist &  
Member of District SC/ST  
Monitoring and Vigilance Committee  
Varanasi  
&  
Shri Vijay Pratap  
Journalist  
New Delhi

The Editor,  
Rashtriya Sahara  
Varanasi

#### Adjudication

This complaint dated 31.3.2012 & 2.4.2012 has been filed by Shri Anoop Shramik, Human Rights Activist & Member of District SC/ST Monitoring and Vigilance Committee, Varanasi and Shri Vijay Pratap, Journalist, New Delhi respectively against Rashtriya Sahara for publication of an allegedly vulgar, rude and abusive comments under the caption “संस्कृत शिक्षकों को युवा मुख्यमंत्री से काफी उम्मीदें” in its issue dated March 26, 2012. It has been alleged in the impugned news-item that defamatory language has been published against Ex. C.M. of Uttar Pradesh, Ms. Mayawati commenting “एकरी मां क चोदों मायावतिया ने”. The complainants have submitted that this is an offensive and vulgar statement in Hindi. There is direct violation of fundamental human rights and Indian Constitution. Further, this is an indecent assault of women human rights and women sexual violence. This news shows strong feudal and caste mindset of the newspaper. The complainants have opposed and protested the publication of this impugned news publication.

#### Written Statement of Rashtriya Sahara

The respondent in his written statement has submitted that the news in question appeared in the newspaper on 26.3.2012 was outcome result of inadvertent mistake and without any intention. Further, the Management of Newspaper at the level of Group Editor himself took suo-motu serious action the very next day after perusing the news. The concerned entire related staff has been adequately punished and a high level enquiry set up. On receipt of the enquiry report, the Management would take further action required with all seriousness. The respondent has also submitted that the Resident Editor has been immediately attached to the Head Quarter. The concerned reporter of Gazipur Bureau has

already been terminated with immediate effect as well as Dy. Editor/Desk Incharge removed from his post. A corrigendum has been published on very next day on 27.3.2012.

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#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. None appeared for the complainant. Shri Ratankar Srivastava appeared for the respondent.

The Inquiry Committee noted the disciplinary action taken by respondent and since none appeared on behalf of the complainant, it recommended the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



The matter came up for hearing before the Inquiry Committee on 24.7.2013 at Varanasi. Shri Omkar Rana, the complainant appeared in person. Shri Pranvir Pratap Singh, P.R.O. appeared for the respondent Aaj, Kanpur.

The Inquiry Committee heard both the parties. It noted that the grievance of the complainant that the news item published in the respondent newspaper cast aspersions on his character and integrity. It appears that the newspaper was in possession of letter leveling the charges but the version of the complainant was not taken before publishing such news items. Journalistic ethics requires that before publishing reports against the character of someone, his version should also be taken. Since that was not done in this

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case, the Inquiry Committee allows the complaint and **admonishes and censures** the respondent. The respondent is directed to publish the rejoinder of the complainant and inform the Council. The Inquiry Committee also directed to send a copy of the decision to the DAVP, RNI and DIPR Govt. of Uttar Pradesh for the action as they deem fit in the matter.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides uphold the complaint as above and also directed to send a copy of the decision to the DAVP, RNI and DIPR Govt. of Uttar Pradesh for the action as they deem fit in the matter.



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Sl. No. 43

F. No. 14/484/11-12-PCI

Deputy Director General (PI)  
Ministry of Statistics & Programme  
Implementation, (MPLADS Division)  
New Delhi.

vs.

The Editor,  
Dainik Jagran,  
Delhi.

### **ADJUDICATION**

This complaint dated 16.12.2011 has been filed by Deputy Director General (PI)(MPLADS Division), Ministry of Statistics & Programme Implementation, New Delhi against the editor, Dainik Jagran alleging publication of inaccurate and misleading reporting under the caption “**PM ne bhi nahi khulwaya Sansad Nidhi kaa khata**” in its issue dated 2.11.2011. It was stated in the impugned news item that Prime Minister, Dr. Manmohan Singh, Congress MPs S/Shri Salman Khursheed, Abhishek Manu Singhvi, Vilasrao Deshmukh and Shahnawaj Hussain of BJP, Sharad Yadav of JDU, Raghuvansh Prasad Singh of RJD, Akhilesh Yadav of SP are part of the list of 151 MPs who in spite of becoming Members many times, could not open a bank account for receiving of MPLADS fund. It was also stated in the impugned news item that it had become necessary to give relaxation for this compulsory condition, but after allowing the relaxation so many times, the Ministry of Statistic and Programme Implementation ultimately had taken the decision that no allocation would be made, if there is no account. According to impugned news item the bank account is not only compulsory for this allocation but the details are also necessary to be registered in Central Plan Scheme Monitoring System.

Denying the allegations the complainant stated that the news item is factually wrong and misleading and has been published without verifying facts from the Ministry of Statistics and Programme Implementation which is the nodal Ministry for MPLAD Scheme. The complainant has further stated that the inaccurate reporting casting wrongful aspersions on the Hon’ble MPs named therein has the effect of negative portrayal of their image. The complainant apprised the factual position to the respondent towards the impugned news item published on 16.12.2011 and requested to publish rejoinder but received no response.

### **Written Statement**

The respondent in his written statement dated 17.6.2013 denied the allegations levelled in the impugned news item and stated that there is no intention either on the part of the editor or the reporter to defame or derogate the Hon’ble Members of Parliament while publishing the impugned news article. He further stated that the complainant in his complaint has not specified as to which portion of the impugned news item is factually incorrect, misconceived and inaccurate. The respondent stated that no reference either to

the complainant or to the Ministry of Statistics and Programme Implement has been made in the news article in question, rather the impugned news article only highlighted the obstacles/hurdles faced by the Ministry of Statistics and Programme Implement in implementing the scheme launched by it.

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### Counter Comments

The complainant in his counter comments dated 1.8.2013 to the written statement submitted that the contention in the article that MPLADS funds have been spent without opening bank account and that the demand drafts were sent directly to the MPs and that the MPs are in the habit of receiving the funds without any bank account was totally wrong, false, incorrect and contrary to the procedure of implementation of the MPLAD scheme. He further submitted that funds are released only through ECS and not by way of Demand Drafts and the district authorities were to provide bank account particulars for the same. The complainant submitted that the report and the headline of the news article were totally misleading and published just to maligning the image of Hon'ble MPs. He further submitted that the opening line in the article that the MPs are above law and the statement that they are in the habit of receiving fund without account is malicious and misleading in nature.

### Report of the Inquiry Committee

Following three adjournments of 21.1.2013, 1.4.2013 and 15.7.2013, the matter came up for final hearing before the Inquiry Committee on 22.8.2013 at New Delhi. Shri Sunder Singh, Under Secretary, Ministry of Statistics & Programme implementation with Shri Amit Chadha, Government Counsel, Delhi High Court appeared for the complainant. Shri B.K. Mishra, Advocate appeared for the respondent.

The Inquiry Committee heard both the parties. It noted that the respondent's counsel offered to publish the clarification given by the complainant. The offer was accepted and upon this assurance from the counsel of the respondent, the Inquiry Committee decided to dispose of the complaint.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose of the complaint in the above terms.



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Sl. No. 44

F. No. 14/512/10-11-PCI

Shri D.P. Joshi,  
S.D.O., Electricity Supply Division-II,  
Uttar Pradesh Power Corporation,  
Hardoi, Uttar Pradesh.

vs.

The Editor,  
Hindustan, Kanpur,  
Uttar Pradesh

### **ADJUDICATION**

This complaint dated 24.12.2010 has been filed by Shri D. P. Joshi, S D O from U.P. Power Corporation against the Editor, Hindustan, Kanpur, U.P. for publication of objectionable and false news item under the caption “**Bigde raeesjaado ke saath dhara sharabi afsar**” (**English Translation- “Drunken official caught & arrested along with rich persons”**) in its issue dated 20.10.2010. It was alleged in the impugned news item that an official of U.P. Power Corporation was caught completely drunk with some spoilt children of the rich in a room of a Pooja Hotel by the police team headed by S.H.O. Shri Rathod. It was also alleged that the doctors also gave a clean chit to the official under his pressure.

Denying the allegations, the complainant stated that the news item was published to defame him and is completely false and baseless. He has stated that this news item was published to provoke the police authorities to weaken the case (14/327-328/08-09) filed earlier in Press Council of India whose date of hearing was 29.10.2010. The complainant has further stated that no alcohol was found on him according to the report of the doctor. He further stated that the reason for staying in the room no. 206 of Pooja Hotel is that he did not get the stay anywhere else in the city due to his earlier case implications. The complainant sent a letter to the respondent editor on 24.12.2012 but no response was received.

#### **Written Statement**

In response to the Council’s Show Cause Notices dated 12.05.2011 the respondent editor, Hindustan vide his written statement dated 3.7.2013 denied the allegations made in the complaint by the complainant and termed them baseless and frivolous. The respondent submitted that neither the name of the complainant nor any identity or designation of the complainant was disclosed in the said news item. The respondent further submitted that the concerned reporter had acted in routine, bonafide and due discharge of his duty as journalist and published the subject news item after due and adequate verification in public interest and in good faith.

#### **Report of the Inquiry Committee**

Following three adjournments on 21.1.2013, 1.4.2013 and 15.7.2013 the matter came up for final hearing before the Inquiry Committee on 22.8.2013 at New Delhi. Shri Girish Kumar Diwedi, Advocate appeared for the complainant. None appeared for the respondent.

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The Inquiry Committee heard the petitioner. It noted that the allegation of the complainant is that he had been defamed by the publication of the objectionable and false news item in the newspaper Hindustan. The Inquiry Committee carefully perused the news item in question and the papers on record and was satisfied that neither the complainant's name nor any particulars of identity were mentioned in the impugned news item. Hence, it cannot be held that the complainant has being defamed. With this observation, the Inquiry Committee decided to dismiss the case.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the complaint.



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Sl. No. 45

F. No. 14/424/10-11-PCI

Shri Sachidanand Sharma,  
Bhagalpur

vs

The Editor,  
Hindustan, Bhagalpur

#### ADJUDICATION

This complaint dated 25.10.2010 has been filed by Shri Sachidanand Sharma, Bhagalpur against the editor, Hindustan, Bhagalpur for publication of false, misleading and baseless news item under the caption ***“Aitihāsik dharoharSanjone ki aakanksha, fir upeksha kyon... ..toh sindhu ghāti se jud jaayega ang ka ithihaas mit jaayega maan mandir....ram seta ki murti pehele hi chor chura le gaye hain, mandir dehene ke kagaar par hain aur zameen pae gadi hai Bhumafiyo ki nighahe”*** in its issue dated 11.10.2010. It was stated in the impugned news item that the existence of the historical Maan Temple is in danger as many parts of the temple have fallen down. It was also alleged that the ancient statues of the temple were stolen and an FIR was also registered. It was stated that right now only five underground graves of abbot/monk were remaining in the temple which the Land Mafia are eying. It was further stated that Ex-President of the Department of History of Bhagalpur University and the members of ICHR, Delhi also believed that the Maan Temple is an historic temple and the Government must take care of it.

The complainant while denying the facts presented by the respondent in the news item stated that the respondent presented his Ancestral House and Ancestral home Seeta Ram Thakurwadi Temple and Shiva Temple as Public Temple and named it as Maan Temple which is completely false, baseless and misleading. He also stated that nowhere in the History Books, it was shown that this Thakurwadi Temple is Maan Temple. He further stated that one Shri Ramesh Jha has illegally occupied some part of his home and that man himself stole the statues of Seeta Ram for which a complaint was registered by him against that man. He further denied of having any graves of abbot in the Temple.

Show Cause Notice was issued to the respondent editor on 1.3.2011 for written statement but no written statement was filed.

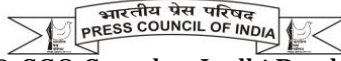
#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi.

Since none appeared from either side, it recommended to the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 46

F. No. 14/378/10-11-PCI

Shri Shiv Kumar Sav,  
Gaya, Bihar

vs

The editor,  
Hindustan, Patna

### ADJUDICATION

This complaint dated 1.10.2010 has been filed by Shri Shiv Kumar Sav, Gaya, Bihar against the editor, Hindustan, Patna for publication of false, baseless and defamatory news item under the caption “**Premi yugal ko mila saath**” in its issue dated 10.9.2010. It was stated in the impugned news item that the Sahu Sabha allowed the couple (Premi Yugal) to live together after five months of the case. It was also stated that Shri Pankaj Kumar of Vajirganj and Smt. Gudiya Devi of Tankumppa loved each other but due to the protest of the society they were living separately for the last six months. The matter was pending before the Sahu Sabha from last five months.

The complainant while denying the allegations levelled in the impugned news item stated that his son (Pankaj Kumar) was married on 21.4.2007 according to the law and the respondent with the help of the President of Sahu Sabha published this defamatory and false news item by using the word *Premi Yugal* in it, in order to malign his son’s image. The complainant sent a letter dated 20.9.2010 to the respondent requesting him to publish the contradiction but no response.

#### No Written Statement

A Show Cause Notice was issued to the respondent editor on 1.3.2011 for written statement but no written statement has been filed.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi.

Since none appeared from either side, it recommended to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 47

F. No. 14/488/10-11-PCI

Joint Commissioner of Police(Crime)  
Detective Department,  
Kolkata Police Force,  
Kolkata.

vs

The Editor,  
Sangbad Pratidin,  
Kolkata.

### **ADJUDICATION**

This complaint dated 1.12.2010 was filed by the Joint Commissioner of Police (Crime), Detective Department, Kolkata Police Force, Kolkata against “Sangbad Pratidin” for publication of an allegedly defamatory, derogatory and concocted news item under the caption “Salt Lake: Balai Mondal died by the bullet of Kolkata Police” (English translation) in its issue dated 24.10.2010. It was reported in the impugned news item that CPM openly threatened Trinamul Congress party and openly supported one of the main accused person alleged to have murdered a Trinamul party worker, namely Madan Mondal @ Dom, standing in front of his house at Kulipara Salt Lake. It has further reported that Dr. Kakuli Ghosh Dastidar, MP of Trinamul Congress alleged while referring the post master examination belong to Kolkata Police and it has been clearly proved that there is a direct relation with police, administration and the CPM party. It has been proved that the empty cartridge found from the place of occurrence and the bullet which was found from the post master examination of Balai Mondal both were issued to the Kolkata police for use. In this panic situation of Salt Lake some tension is spreading in Lake Town area also.

Denying the impugned news item, the complainant has submitted that a dispute arose between the members supporters of Trinamul Congress and CPM parties in Kulipara and in that dispute, fire arms were used and large number (rounds) of bullets were fired by political miscreants. On that incident one Balai Mondal had sustained gunshot injury on his left thigh and during his treatment he had expired in the hospital. The complainant has further submitted that after post-mortem report, the autopsy surgeon stated that “death was due to the effect of bullet injury and severe blood hemorrhage anti mortem and homicidal in nature”. No bullet head was found at the stage of post-mortem examination. The investigation officer during his investigation did not seize any bullet or empty cartridge of bullet from the place of occurrence or other place. The complainant alleged that the impugned report did not corroborate with the original fact and circumstances. Kolkata Police strongly objects to the news article, which is totally concocted and has no factual basis. The complainant further submitted that a protest letter was sent to the respondent on 1.11.2010 requesting him to publish a corrigendum but no reply received.

The respondent editor, Sangbad Pratidin did not file written statement either in response to the show cause notice issued by the Council.

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Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi. Since none appeared from either side, it recommended to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the case for default.

Foot Note: The complainant telephonically informed that they are not aware of the complaint which was read out by giving the reference number. The respondent too vide his letter dated 17.8.2013 denied having received copy of the complaint but the A/D showed it was received by them.



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Sl. No. 48

F.No. 14/170/10-11-PCI

Md. Abdul Khaleque, MLA  
Distt. Barpeta (Assam)

vs

The Editor,  
Asomiya Pratidin,  
Guwahati.

### ADJUDICATION

This undated complaint was filed by Shri Abdul Khaleque, MLA, Jania Constituency, Barpeta District (Assam) against Asomiya Pratidin, Assamese daily for publication of a series of allegedly false, baseless misleading and defamatory news items in its issues between 18.4.2010 and 1.5.2010. The complainant alleged that the first impugned news item dated 18.4.2010 reported that he was indulging in plunder and loot in the name of religion by siphoning off grants meant for developmental activities and for religious places. Remaining impugned news items dated 21.4.2010 and 23.4.2010 alleged that he and his brother had amassed huge properties at several places and had started a series of plunder and pillage by collecting commissions from every government schemes meant for Jania and from beneficiaries of Indira Awas Yojna and he become the number one mafia of Jania and ruling the place like an autocratic ruler by running a parallel administration. The complainant alleged that the news item dated 24.4.2010 falsely carried reports of large scale corruption, fraud and nepotism and collection of huge sums of money in the name of providing jobs in the Health Department. The complainant also alleged that the all impugned news items dated 25.4.2010, 26.4.2010 and 1.5.2010 carried forth deliberate venom targeting him and his brother again relating to corruption, misappropriation of Government funds.

Denying the allegations, the complainant has alleged that the respondent targeted him and his brother by publishing false reports without any substance by using the print media irresponsibly. The complainant has stated that the content, tone and tenor of the offending news items display a total disregard for the norms of professional journalistic standards He has alleged that the frequency of the offending 7 impugned news reports spread just over fourteen days in the Daily is clearly indicative of the singularly determined attitude and intention of the respondent actuated by malice to vilify and malign his image before the eyes of the society. The complainant has stated that the respondent belongs to a different political denomination than that of the complainant and is also a defeated candidate in the elections to the Rajya Sabha held sometime in March, 2010 and this systematic vilification launched primarily by the respondent with a different political dispensation which has shown scant regard for journalistic ethics or standards and seek to

denigrate the very concept of the freedom of press as understood under the Constitution of India. The complainant further alleged that the respondent has published the impugned news reports without any due care and attention without any attempt to verify the truth and veracity of the publication. The complainant stated that he had sent clarifications dated 12.5.2010 to each of the news

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item pointing out, inter alia that the news items had no foundational basis and totally lacked veracity or authenticity and demanding that the clarifications be published in the newspaper giving the same degree of prominence as the offending news reports.

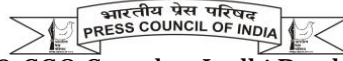
A Show Cause Notice was issued to the respondent editor, Asomiya Pratidin on 23.7.2010 but no written statement has been filed.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi. None appeared for the complainant. Shri Goutam Bhattacharyya, Staff Reporter appeared for the respondent. The Inquiry Committee noted that since none appeared for the complainant, it recommended to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 49

F. No. 14/132/10-11-PCI

Shri Subhra Sankar Laskar,  
O/o Block Development Officer, vs  
Junior Engineer, Sidai,  
Sadar North, Tripura (West)

The editor,  
Dainik Ganadoot,  
Bengali Newspaper,  
West Tripura.

#### ADJUDICATION

This complaint dated 26.5.2010 was filed by Shri Subhra Sankar Laskar, Junior Engineer, Tripura against the newspaper Dainik Ganadoot alleging publication of false, misleading and defamatory news items under the caption “**Corruption in excess of amount of Rs. Crore is going on in Mohanpur Block, No audit has been done**” and “**Whether Government employees or Professional Goon**” (English Translation) in its issues dated 21.5.2010 and 1.6.2010 respectively. It was stated in the impugned news item that Mohanpur Block in Sadar North of Tripura, numerous corruption charges including allegation of financial defalcations and irregularities lay against an Engineer named Shri Subra Sankar Laskar. A single work has been completed which was been started three years back in Mohanpur block. It was alleged in the impugned news item that Shri Lashkar, Engineer is lifting and selling Government materials in the open market illegally. Since the last three years the said engineer has digested lakhs and lakhs of Govt. money illegally. It was further alleged that no auditing has been done during the last financial year in Mohanpur Block.

The complainant while denying the allegations levelled in the impugned news item stated that the respondent editor has published the false, misleading and defamatory news item against him without verification of the facts. He submitted that the allegations and imputation in the said article are grossly defamatory and has brought him into public scandal, odium and contempt and has caused injury to his credit and reputation. He submitted that the impugned news item is highly objectionable and due to which he was put under suspension for 17 months for corruption charges. The complainant vide letter dated 26.5.2010 had drew the attention of the respondent editor and requested to publish the contradiction but received no response. A Show Cause Notice was issued to the respondent editor on 9.9.2010 for written statement.

#### Written Statement

The respondent editor, Dainik Ganadoot vide letter dated 10.10.2010 while denying the allegations of the complainant, stated that the complaint is false, frivolous, malafide and baseless. He further stated that the impugned news item is based on facts and published after due inquiry. According to him, a C.R. Misc.87/2009 was registered in the

Court of Ld. Chief Judicial Magistrate, West Tripura, Agartala against the complainant by Shri Sanjib Das which shows the antecedents and conduct of the complainant. Shri Sanjib Das also filed a complaint to the Officer-in-Charge, West Agartala PS against the

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complainant. He further submitted that previously the complainant had filed a complaint to the Officer-in-Charge, East Agartala PS on 21.4.2009 against Shri Sanjib Das and others making false allegations and a Case No. 81/09 u/s 384 of IPC was registered. But the Investigating Officer submitted its final report dated 19.5.2009 holding inter alia that there was no prima facie case and prayed for discharge of accused.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi. Since none appeared for the complainant on the respondent it recommended to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 50  
Shri Shyamal Pal,  
Urbashi Medical Hall,  
Tripura.

vs

F.No. 14/324/10-11-PCI  
The editor,  
Tripura Times,  
Tripura.

### ADJUDICATION

This complaint dated 3.9.2010 was filed by Shri Shyamal Pal, Urbashi Medical Hall, Agartala against the editor, Tripura Times, Agartala for publication of allegedly false and defamatory news item captioned “**Medical Store: Medicine in Market, poor deprived**” with sub-heading “**1 lakh worth insulin goes for party leader!**” in its issue dated 30.8.2010. It is stated in the impugned publication that a top ranking doctor of the hospital started a business package with the complainant and all BPL card holders are being charged for the medicines they purchase. The money thus accumulated was divided between the complainant and the doctor while the receipts collected from the BPL card holders demanding free medicines are again used to procure huge cash from the government exchequer.

Denying the allegations leveled in the impugned news item the complainant submitted that the impugned news item is totally false, fabricated and an afterthought and the same has been published with an ill motive and purposefully to malign his image and business. The complainant submitted that attention of the respondent editor was drawn on 3.9.2010 towards the impugned publication but no received response

A Show Cause Notice was issued to the respondent editor, Tripura Times, Agartala on 3.12.2010, but received no response.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 22.8.2013 at New Delhi. None appeared for the complainant. Shri Arindam Lodh, Executive editor appeared for the respondent.

Since none appeared for the complainant, it recommended to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 51

F.No. 14/352/11-12-PCI

Shri Dhiraj Singh

The Editor

Director (M & C)

vs

India Today

Government of India

New Delhi

Ministry of Commerce and Industry

New Delhi.

### ADJUDICATION

This complaint dated 8.11.2011 has been filed by Ministry of Commerce & Industry, Government of India through its Director (M&C), , New Delhi against the editor, 'India Today' magazine alleging publication of false, incorrect, malicious and defamatory article under the caption "**Rice Route to Profit**" in its issue dated 19.9.2011. According to this news-item, in a deal, reminiscent of the 2G scam, 82 licenses to export one million tons of non-basmati rice were doled out by the Commerce Ministry under Shri Anand Sharma to a chosen few. It was stated in the impugned news-item that a notification issued on July 19, 2011 by the Director General of Foreign Trade (DGFT), a part of Sharma's ministry, allowed just 14 companies and 24 individuals acting in concert to bag contract in violation of norms which allow only one license for every 12,500/- tons of rice. It is further alleged that the notification dated July 19, 2011 was loosely structured and the process of granting licenses was not transparent.

Denying the allegations, the complainant has submitted the action was pursuant to the well deliberated decision of EGOM and that the news-item published is absolutely wrong, misleading and conveys defamatory impression about Shri Anand Sharma and his department and the officials of profit in the allocation of rice. Further, the several sweeping allegations have been made regarding the process of allocation for export of 10 lakh MT of non-basmati rice by DGFT which are factually incorrect and bordering on malicious intention. The complainant has submitted that the article does not capture the true position and draws inappropriate conclusions based on erroneous interpretations, like licenses were "doled out" to a "chosen few", process was not transparent." The complainant submitted that Editor, India Today was addressed on 14.9.11 drawing his attention to wrong and malicious article and requested to publish their version but in vain. He counter alleged a nexus between the India Today and one Prem Garg of M/s Kannu Aditya Ltd., whose statement formed a part of the allegation in the impugned report and whose "Impact feature of two pages was carried in the next edition"

A show -cause notice was issued to the respondent editor, India Today, New Delhi on 12.3.2012 but no written statement was filed.

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#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from either side.

The Inquiry Committee noted the absence of defence but since none appeared for the complainant, it recommend to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



भारतीय प्रेस परिषद्  
PRESS COUNCIL OF INDIA

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Sl. No. 52

F.No. 14/282/11-12-PCI

Shri Parag Srivastava  
Jaipur  
Rajasthan

The Editor  
Dainik Bhaskar  
Jaipur, Rajasthan

#### ADJUDICATION

This complaint dated 5.8.2011 was filed by Shri Parag Srivastava, Jaipur against 'Dainik Bhaskar' Jaipur for publication of an allegedly news-item in fraudulent manner under the caption "**Muft kaa chandan bhi nahi sambhla**" in its issue dated 10.6.2011. It was alleged in the impugned news item that the complainant threatened the teachers of the school and threw water on the children with a motive. It was also alleged in the impugned publication that the complainant tried to close the school and restricted it from hoisting the flag. The complainant submitted that this statement hurt him a lot because he is the only person who kept arrangements of water for the children for the last 18 years. He had never tried to close the school and never restricted anybody from flag hoisting in the school campus. According to the complainant, the subject matter of the news is with regard to the property dispute between his family and the Education Department, Government of Rajasthan and the case is pending in the Court of Law. The decision is still awaited. The respondent published the false and baseless news of the sub-judice case which explicitly defamed him in the society and hurt his sentiments. The complainant submitted that he approached the newspaper office and also had a meeting on 1.6.2011 with the concerned correspondent for publishing a corrigendum of the impugned news-item but the respondent did not publish the clarification in spite of a legal notice dated 5.7.2011 sent by his counsel.

A Show-Cause Notice was issued to the respondent editor, Dainik Bhaskar, Jaipur on 14.10.2011 but no written statement was filed.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. Since none appeared for the complainant despite calling the case twice, the Inquiry Committee recommends to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. Nos. 53-54

F. No. 14/708-709/11-12-PCI

Shri Chander Prakash Arya,  
Branch Manager,  
State Bank of India,  
Abu Road, Rajasthan.

vs

The Editors  
(i) Samagra Rajasthan &  
(ii) Abu Samachar,

#### ADJUDICATION

These complaints were filed by Shri Chander Prakash Arya, Branch Manager, State Bank of India, Abu Road, Rajasthan against the editors (i) Samagra Rajasthan and (ii) Abu Samachar, fortnightly for alleged publication of false, baseless and defamatory news item under the caption “**SBI ne dhikhaya chatkar: Mritak ko kiya zinda**” and “**SBI mein dhol mein pol**” in its issue dated February 16-29, 2012. It is stated in the impugned news item that the Abu Road branch of State Bank of India not only showed alive a dead person but also deducted TDS on his account. It is also stated in the impugned news item that attention of the management drawn towards the incident but neither they refunded the amount nor rectified their mistake. It is stated in the Abu Samachar that due to negligence of the management of the bank one account holder lost four thousand rupees and when a complaint has been made in this regards the bank management did not care.

Denying the allegations levelled in the impugned news item, the complainant submitted that the news item published is far from truth and published just to malign the image of the bank. The complainant submitted that attention of the respondent editor, Samagra Rajasthan was drawn on 17.2.2012 and Abu Samachar on 20.2.2012 but received no response.

#### Written Statement

In response to Council’s Show Cause Notice dated 09.5.2012, the respondent editors Abu Samachar and Samagra Rajasthan vide their written statements stated that the news item is absolutely true and in favour of general public. They further stated that on 8.11.2011, they received a copy of complaint sent to SBI by one of the account holder of State Bank of India, Smt. Yashoda Chutervedi in which she informed that she had requested SBI management to transfer FD in her favour as her husband was dead. Thereafter the Bank transferred FD in her favour but in computer system, the bank continuously showed the account in the name of her husband, Shri Sohanswaroop from 2004 to 2011 and even TDS was also deducted without PAN number. They further stated that the title used in the news article is an idiom which is best suited in the news and the details published in the news article contains only the complaints made by the account holder. They also stated

that the news item was not with the intention to malign the image of the complainant and by lodging this complaint, the complainant had only tried to hide the carelessness of the SBI Management.

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The complainant vide his counter comments dated 21.8.2012 denied the written statements of the respondents and submitted that the FD is in the name of Smt. Yashoda Chaturvedi and her husband's name was deleted from the system. The complainant submitted that if the interest received by the account holder is more than Rs.10,000/- then tax is deducted from the interest accrued and the same has been deposited in Income Tax Account otherwise Income Tax Department penalizes the bank. After submission of the tax into the account the bank issued a Form 16 and tax payee got the refund of the same. The complainant also stated that due to lack of knowledge regarding tax deduction, the respondents published baseless and defamatory articles.

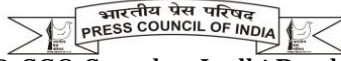
#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from the complainant. Shri Vijay Kumar Soni appeared for Abu News whereas no one appeared on behalf of the Samagra Rajasthan.

Since none appeared for the complainant despite calling the case twice, the Inquiry Committee recommend to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the case for default.



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Sl. No. 55

F. No. 14/184/11-12-PCI

Shri Mahesh Sharma,  
Village Post Ahemadpuri,  
District Meerut, U.P.

vs.

The editor,  
Janvaani,  
Meerut, U.P.

#### ADJUDICATION

This complaint dated 20.7.2011 was filed by Shri Mahesh Sharma, Meerut, U.P. against the editor, Dainik Janvani for publication of false and defamatory news item under the caption “**Zindgi par bhaari padi jhootti aan**” in its issue dated 27.7.2011. It was stated in the impugned news item that the daughter of the complainant fell in love with a lower caste boy and disappeared for some time. It was also alleged that when the girl came back, she had been mercilessly beaten by the complainant and due to which, she may have died. It was further alleged that the complainant left his house after putting it on fire and also left the village. It was also stated that the police officials also denied giving any information regarding this.

The complainant while denying the allegations stated that incident pertained to someone else but Shri Jaiveer Singh Tyagi, reporter of the newspaper out of ill will published the name of the complainant and his daughter instead of the actual names. He alleged that due to the publication, his image and of his daughter was maligned in the village and the marriage fixed or his daughter was broken. The complainant also talked to the editor of the newspaper personally regarding this and requested to publish an apology/correction but the respondent misbehaved with him.

A Show Cause Notice was issued to the respondent on 9.9.2011 but no written statement was filed.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from the complainant. Shri Anand Agnihotri appeared on behalf of the respondent. Since none appeared for the complainant despite calling the case twice, the Inquiry Committee recommended to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 56

F. No. 14/161/11-12-PCI

Shri Tarbabu,  
Police Sub-Inspector,  
P.S. : Dadari,  
Gautam Buddha Nagar, U.P.

vs

The Editor,  
Supreme News,  
Gautam Buddha Nagar,  
Uttar Pradesh.

The Correspondent,  
Supreme News,  
Gautam Buddha Nagar,  
Uttar Pradesh.

#### ADJUDICATION

This complaint dated 20.7.2011 was filed by Shri Tarbabu, Police Sub-Inspector, P.S.: Dadari, Gautam Buddha Nagar, U.P. against Shri Sanjay Bhati, Editor/Correspondent, Dainik Supreme News, Gautam Buddha Nagar, U.P. for publication of a series of news items on 6.6.2011, 8.6.2011, 13.7.2011, and 26.7.2011, 1.8.2011 in the garb of journalism to blackmail and harass him.

It is stated in the impugned news item that one dalit lady complained with the District Magistrate against the complainant that he forced her to meet him at a lonely place if she did not want police take stern action against her brother who is a criminal. It is also stated in the impugned news item that the complainant earlier also misbehaved with the lady. In the impugned news item it is also stated that the complainant has a very friendly links with hardcore criminals spared several areas from where all the criminals pursue their business.

Denying all the allegations levelled in the impugned news items the complainant submitted that all the allegations are false, baseless and published just to malign his image the complainant stated one Shri Bharat Kumar opened fire in the area and disturbed the law and order situation he tried to nab him but the respondent – Shri Sanjay Bhati in connivance with the sister of the said Bharat Kumar, made an application to the Senior Police Officer that the complainant misbehaved with her. The complainant further submitted that the respondent published the application twice in the newspaper to blackmail and torture him and malign his image in the media. He drew the attention of the respondent towards the impugned news items twice but received no response.

#### Written statement

In response to the Council's Show Cause Notice dated 23.8.2011 the respondent editor, Supreme News vide his written statement dated 16.11.2011, while denying all the allegations

leveled against him, submitted that the impugned news items are true and published in public interest. The respondent further submitted that the complainant

-2-

made this complaint just to escape from the complaint application dated 3.6.2011 of the Dalit lady. The respondent also submitted that a departmental enquiry was initiated against the complainant and after that he was suspended from his duty and an FIR was also lodged against him. According to the respondent, the complainant made false and frivolous complaint against him.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from the complainant. Shri Sanjay Bhati, editor, Dainik Supreme News appeared on behalf of the respondent.

Since none appeared for the complainant despite calling the case twice, the Inquiry Committee recommended to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 57

F. No. 14/188/11-12-PCI

Shri Vikash Sharma,  
Aurangabad, Bihar

vs

The editor,  
Prabhat Khabar, Patna

### ADJUDICATION

This complaint dated 14.7.2011 was filed by Shri Vikash Sharma, Aurangabad, Bihar against the editor, Prabhat Khabar, Patna for alleging publication of false, malicious and defamatory news item under the caption “**Dulhe ke bhai ne nartaki ki goli maar kar hatya ki**”(English Translation – Dancer was assassinated by the hands of Groom’s brother) in its issue dated 21.5.2011. It was stated in the impugned news item that a dancer namely Baby Khatoon went on the marriage of the brother of Shri Vikash Sharma for dancing. It was alleged that Shri Vikash demanded the dancer to dance on a vulgar song and on refusal, he entered the green room and tried to rape her. When the dancer resisted, he murdered her by firing a gunshot at her. It was also stated that an FIR was lodged against the complainant and his brother and they have been made prime accused in the case.

The complainant submitted that he was not an accused as per the FIR lodged with the police station and also had no role in committing the murder of the said dancer. He alleged that the Bureau Chief of the newspaper was prejudiced in publishing the news item and it was published for the purpose of extorting money. He added that the newspapers Hindustan and Dainik Jagran too published the report of the incident but with no allegation of murder against him but the respondent newspaper, Prabhat Khabar have published the news item and dragged his name to malign and tarnish his image in the eye of the society. A legal notice dated 7.6.2011 was sent to the respondent but no response was filed.

A Show Cause Notice was issued to the respondent editor on 13.10.2011 for written reply but no written statement was filed.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from the complainant. Shri Anjani Kumar Singh appeared for the respondent.

Since none appeared for the complainant despite calling the case twice, the Inquiry Committee recommended to the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.





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Sl. No. 58

F. No. 14/662/11-12-PCI

Dr. Javed Chowdhry,  
HOD  
Pediatrics and Medical Superintendent  
G.B. Pant Hospital  
Kashmir

The Editor

The Daily Rising Kashmir  
Kashmir

#### ADJUDICATION

This complaint dated 15.03.12 has been filed by Dr. Javed Chowdhry, Prof. and HOD Pediatrics and Medical Superintendent, G.B. Pant Hospital against the editor “The Daily Rising Kashmir” for publishing a baseless and malicious article against him under the caption ‘**Lack of Manpower mars patient care at GB Pant Hospital**’ on 12.3.2012 alleging the complainant has alleged shortage of staff at G B Pant Hospital. It has also been alleged that the two infants died due to lack of availability of fresh blood in the hospital which was published in the article under the caption ‘2 infants die for want of blood at G B Pant Hospital’ dated February 28, 2012 whereby the complainant said that the arrangement of fresh blood be done by the patient's attendant themselves and the hospital could not provide fresh blood of any blood group. It has also been alleged that the respondent continued the malicious campaign against him by publishing the news item on March 17, 2012 under the caption ‘GB Pant Hospital where LCD TV's get preference over patient care’ as well as on March 18, 2012 under the caption ‘Two patients share one ventilator’.

The complainant has submitted that he presented the factual position before the Shri Showkeem Lone working as reporter with the Rising Kashmir on 26.2.2012 and wrote to the editor of The Daily Rising Kashmir Newspaper on 12.03.12. But the respondent misquoted him and published a photograph of the routine OPD with the story to give an impression that the attendants were protesting against the hospital administration. Further, the complainant has submitted that two infants died because they were admitted in the hospital at advance stage of their illness and there was little scope for their survival. The complainant has alleged that the respondent tried to put the entire blame on the hospital administration & doctors and tarnished his image as an Administrator and a doctor. Further, the complainant has submitted that the respondent showed his hostile behaviour towards him after he refused to engage one of his relatives in the hospital as the complainant had no such powers.

A show-cause notice was issued to the respondent editor, The Daily Rising Kashmir, Srinagar on 30.5.2012 but no written statement has been filed.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from either side.

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Since none appeared for the complainant despite calling the case twice, the Inquiry Committee recommended to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.





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Sl. No. 59

F. No. 14/283/11-12-PCI

Dr. Kamal Kishore Singh,  
DIG of Police (A.D.), CID,  
Patna, Bihar.

vs.

The Editor,  
Times of India,  
Hyderabad edition.  
Hyderabad.

### **ADJUDICATION**

This complaint dated 13.7.2011 has been filed by Dr. Kamal Kishore Singh, DIG of Police, (A.D.), CID Bihar, Patna against Times of India, Hyderabad for publication of an allegedly false, malicious and mischievous article on its internet edition under the caption “True Lies” column in its issue dated 25.4.2011 reporting that the complainant had a lunch on meeting with Shri S.S.P. Yadav, a former IPS officer of Andhra Pradesh cadre. The impugned article has further indirectly suggested that the meeting was related to the By-polls in Kadapa where the complainant had been deputed as a Police Observer by the Election Commission of India.

Denying the report, the complainant has alleged that the impugned article is totally false, malicious and mischievous with the intent of a perverse mind to cause injury to his integrity and cause suspicion amongst readers. The complainant has informed that he was deployed as Police Observer, Election Commission of India, in the By-Polls of 38 Kadapa Parliamentary Constituency/248 Pulivendula Assembly Constituency in YSR District of Andhra Pradesh. According to the complainant, he never met Shri S.S.P. Yadav either during his deputation as ECI Observer in Kadapa or ever before or during his career as an officer or as an ordinary citizen. More so, he is under the supervision and control of the Election Commission of India and all his movements to side the district has to have a prior approval of the ECI. The complainant has further submitted that during his deputation as ECI Observer neither has he travelled to Hyderabad not sought permission for such travel by the ECI. He is staying put at Kadapa since the date of his joining on 13.4.2011 till the current date. The complainant has submitted that he sent a protest letter dated 9.5.2011 to the respondent but no action has been taken by him.

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from either side.

A letter dated 16.8.2013 was received from Dr. Kamal Kishore Singh, DIG of Police requesting Inquiry Committee to decide the case on merits taking his letter as his deposition.

The Inquiry Committee carefully perused the records of the case and noted the impugned news item was carried in the internet edition. Since internet is not within the

jurisdiction of the Press Council of India, the Inquiry Committee recommended to the Council to dismiss the complaint.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case.



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Sl. No. 60

F. No. 14/684/11-12-PCI

Dr. Shyam Chandra Gupta,  
Principal, J.K. College,  
Darbhanga, Bihar

The editor and its reporter,  
vs Dainik Jagran,  
Muzaffarpur

#### ADJUDICATION

This complaint dated 1.3.2012 was filed by Dr. Shayam Chandra Gupta, Principal, J.K. College, Darbhanga against the editor and its reporter, Dainik Jagran, Muzaffarpur for publication of false, baseless and defamatory news item under the caption “**College ke rukh se chattrra mushkil mein**” in its issue dated 28.12.2011. It has been alleged in the impugned news item that the college Principal/Administrator has initiated proceeding u/s 107 of Cr. P.C. against the students, adopting oppressive and suppressive attitude as and when the students raised voice for college development as well as the conduct of classes. It was also stated that the student namely Bhola Bhagat had been wrongly declared fail in B.A. Part I examination by the Principal.

The complainant while denying the allegations levelled in the impugned news item stated that on 28.12.2011, he was astonished to see the news and stunned when a large number of people of different category started calling him up as well as personally visiting him with newspaper at his residence as well as in college and the situation became worse when the students gathered to agitate against the reporters of the newspaper but the aggravating situation was controlled after assurance that legal action would be taken against the reporters, editors and publishers for reporting and publishing such libelous and false news. The complainant alleged that the defamatory news has been published without justification based on rumours and conspiracy hatched by a particular section of people and with a view to satisfy the desire of those particular section of people and to defame in public and society. The complainant denied that he had initiated a proceeding u/s 107 of Cr. P.C. or adopted any suppressive attitude or police action without appropriate causes. Further declaring result of a student is the business of the examination department of the concerned University and the college administration cannot interfere in the conduct of the examination department. He submitted that on 28.12.2011, he contacted with Sri Pramod Pandey, Bureau Chief of the Newspaper over the phone to protest, on which the Bureau Chief replied that “You Mr. Principal wherever you want to move, you may move”. The arms of the press are very wide and that the publication of news like HO HA HALLA & TOR FOR etc. by the students unions like L.J.P. will be ok. He further added that after the publication of the news item he suffered mental agony and pain. He has submitted that he

sent a legal notice on 4.1.2012 to the respondent drawing their attention for such defamatory publication but received no reply.

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The respondent editor, Dainik Jagran while denying the allegations levelled by the complainant has stated that the news item was published with a view to expose the condition of the students of the college and not with the intention to malign the image of the college. The respondent added that the news item contains the viewpoints student as well as the view of the college administration which prove that the story was not one sided. He submitted that as far the proceeding u/s 107 Cr. P.C. is concerned, it was initiated by the Circle Officer in the light of an application of the Principal of J.K. College and in this regard a news item was published that the proceedings on FIR No. 133/10 which was registered in Birol Police Station is pending. He further clarified that the college administration threatened the student not to raise their voice against them for which a complaint was also sent by a student named Bhola Bhagat to the Circle Officer on 8.12.2012 and on the basis of the statement given by Bhola Bhagat, the news item was published. He stated that their intention was not to malign the image of the Principal and the College and if somebody was hurt by their publication, they apologized for the same.

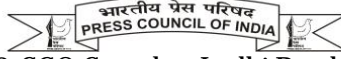
#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared for the complainant. Shri B.K. Mishra, Advocate appeared for the respondent.

The Inquiry Committee was informed that a letter dated 18.8.2013 was received from the complainant, Shri Shyam Chandra Gupta informing that the matter is mutually settled between both the parties and requesting to drop further proceeding in it. The Inquiry Committee after perusal of the letter, recommended to the Council to dispose of the case as mutually settled.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose of the case as settled.



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Sl. No. 61

F. No. 14/125/11-12-PCI

Shri Rajesh Daga

The Editor

Associate Vice-President (Sales Co-Ordination)

vs

The Statesman

Electro steel Casting Limited

Kolkata

Kolkata

### ADJUDICATION

This complaint dated 21.6.2011 has been filed by Shri Rajesh Daga, Associate Vice-President (Sales Co-Ordination), Electrosteel Castings Limited (ECL), Kolkata (West Bengal) against “Statesman” for publication of an allegedly false and malicious news item under the caption “**KMDA awards contract to firm blacklisted by Gujarat govt for bad workmanship**” in its issue dated 12.5.2011. It has been alleged in the impugned news item that Kolkata Metropolitan Development Authority (KMDA) awarded contract worth crores of rupees to Electro steel Castings Limited firm, which was blacklisted up to 2014 by the Gujarat Urban Development Company Ltd (GUDC), a Government of Gujarat undertaking for bad workmanship and gross negligence. According to the news-item, some officials of KMDA went out of their way to favour the firm and contracts were not given to other manufacturer on one pretext or the other.

Denying the allegations levelled in the impugned news item, the complainant has alleged that the impugned news item was published without verification and based on one-sided facts and levelled severe allegations against the company. The complainant has stated that the respondent did not bother to verify the true facts from the company before publishing such defamatory article against the company. The complainant has clarified that the blacklisting order of GUDCL was linked to the collapse of an Elevated Service Reservoir (ESR) constructed by their Turnkey Division and it is no way related to the supply or quality of Ductile Iron Pipes manufactured by them. KMDA contract referred in the impugned article is only for supply of Ductile Iron Pipes and has no civil construction in its scope. The complainant has further clarified that the Institute like Indian Institute of Science, Bangalore and Veermara Jijabai Technological Institute, Mumbai have confirmed that the collapse of ESR was due to faulty design. As the design was not in their scope of work, they cannot be held responsible. The dispute with GUDCL is pending before Gujarat Public Works Contract Dispute Arbitration Tribunal in Ahmadabad and hence blacklisting itself is sub-judice. According to the complainant, the order from KMDA was awarded to them pursuant to a tender floated by KMDA and after following a well established competitive bidding process. Hence, there is no substance in

the allegation that the supplies to KMDA has been made at higher rates. Furthermore, the allegations of their company influencing the government officials for procuring of contracts are wholly unjustified and highly derogatory and clearly without any basis and are altogether denied.

A show -cause notice was issued to the respondent editor, The Statesman, Kolkata on 11.7.2011 but no written statement has been filed.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. Shri Sanjiv Rathi, Sr. Business Advocate and Manager, Electro Steel Casting Ltd. appeared for the complainant. None appeared for the respondent.

The Inquiry Committee was informed that a letter dated 18.8.2013 was received from the respondent editor requesting for adjournment in the case. Shri Sanjiv Rathi, Counsel for the complainant informed that he does not want to pursue the matter further and this request of the complainant, it decided to recommend the Council to dismiss the complaint as withdrawn.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to close the complaint.



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Sl. No. 62

F. No. 14/314/11-12-PCI

Shri Arun Rishi  
West Garo Hills  
Meghalaya

The Editor  
vs.

The Tura Times  
Meghalaya

#### ADJUDICATION

This undated complaint received on 05/10/2011 has been filed by Shri Arun Rishi, President, Managing Committee, Rashipara Government L P School Meghalaya against the Editor, 'The Tura Times', English daily alleging publication of defamatory article in its issue dated 12/08/2011 under the caption "Mid-Day Meal Scandal" along with the photograph of the complainant. It has been reported in the article that the complainant has diverted six bags of rice under Mid-Day Meal Scheme and forged the signatures of the locality people for forming Managing Committee. The complainant has alleged that news item is full of falsity and defamatory statements which has caused grave trauma to him. The complainant had drew the attention of the respondent through his advocate, seeking an unconditional apology for having published such a false imputation but the respondent neither published any apology nor gave any reply.

#### Written Statement

In response to Show cause notice dated 26.12.2011, the respondent editor vide his written statement dated 10.1.2012 submitted that the article was based on report submitted by the Managing Committee of Rishipara Community Development Society in their letter dated 3.5.2011 and spot inquiry & detailed report over his illegal activities by the Cluster Coordinator, Satsand Resources Centre, SSA, Tura, West Garo Hills, dated August 1, 2011 'wherein their staff reporter was also present. He has submitted that the article published in his newspaper was based on the fact and report by appropriate authority.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.8.2013 at New Delhi. None appeared from either side.

The Inquiry Committee noted that the complainant had not filed any counter to the written statement and since none appeared from either side despite calling the case twice, it recommended to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss case for default.



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Sl. No. 63

F.No. 14/626/10-11-PCI

Dr. L N Sarkar  
Registrar,  
Lakshmibai National University  
of Physical Education,  
Gwalior

The Editor  
Raj Express, Hindi daily  
Gwalior

### **ADJUDICATION**

In a complaint dated 18.2.2011 Dr. L N Sarkar, Registrar, Lakshmibai National University of Physical Education, Gwalior has alleged that ‘Raj Express’ published a false news-item captioned “***Kulpati Ki Avidh Niyukti Ke Sambandh Mein Delhi Uchh Nyayalaya Main Sunvai - Kulpati Ke Adhikaron Par Stay***” in its issue dated 21.1.2011. The newspaper reported that the High Court of Delhi has stayed Vice-Chancellor (Maharani Lakshmibai College of Physical Education) from exercising the powers of the post till such time the Vice Chancellor provides the information to the Court. It was also stated in the news-item that during the hearing on January 19, 2011, the Division Bench of Hon’ble Delhi High Court comprising of Chief Justice Mr. Deepak Verma and Mr. Justice Sanjiv Khanna granted stay on the litigation filed by Secretary General, All India Council of Physical Education challenging the appointment of Vice Chancellor Maj. Gen. Sarbjit Singh Pawar. The Bench directed the Vice-

Chancellor not to perform any work that comes under his purview. In the news-item, it was also stated that the Vice Chancellor was not qualified as per UGC's parameters and had neither done any teaching work nor had Ph.D. degree.

The complainant has submitted that the text of the news is totally false and baseless as there was no such order passed by Hon'ble High Court of Delhi on January 19, 2011 as evident from the website of High Court of Delhi. The complainant drew the attention of the respondent on 27.1.2011 either to substantiate statement published or to publish an unconditional apology but received no response.

The respondent editor vide his written statement dated 25.10.2012 has submitted that a writ petition No.7537/2010 has been filed in Delhi High Court in this regard and Hon'ble Court had given another date. The respondent further submitted that their reporter many times tried to contact Dr. L.N. Sarkar, complainant in order to get his version but he was never available for his oral or written submissions. The respondent has requested the Council to get the version of the complainant which they were ready to publish the same.

Following one adjournment of 22.12.2012 the matter again came up for hearing before the Inquiry Committee on 19.9.2013 at New Delhi. Shri Nandlal Rohive, Dy. Registrar (Admin & Legal), Lakshmibai National University of Physical Education, Gwalior appeared for the complainant. There was no appearance on behalf of the complainant.

#### Report of the Inquiry Committee

The Inquiry Committee was been informed by the authorized representative of the complainant that the respondent has published an apology in his newspaper and they do not want to pursue the matter further. It decided to dispose of the matter as settled.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose of the matter accordingly.



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Sl. No.64

F.No. 14/376/11-12-PCI

Md. Nadeem,  
Director, Surabhi Property Dealer,  
Distt.-Chhindwada (M.P.)

The Editor,  
Dainik Jabalpur Express,  
Chhindwada (M.P.)

### **ADJUDICATION**

This complaint dated 28.10.2011 has been filed by Md. Nadeem, Chhindwada, M.P. against the editor, Dainik Jabalpur Express, Chhindwada for publication of a series of false, baseless, derogatory and defamatory news items. The allegation made in the impugned news items are that the complainant is a history sheeter and runs a card den day and night with the help of big white collared people and also provides liquor, drugs and call girls to them. It was also stated in the impugned news item that the complainant also smuggles liquor and now he is a big smuggler whom police could not arrest and everybody knows the address of the den except police officials who do not know where the den is running.

Denying the allegations, the complainant stated that he is a reputed property dealer in the area and the impugned news items were published to malign his image. The complainant also submitted that the respondent demanded Rs. 3000/- for carrying advertisement for property related material and even after giving money to him, the advertisement was not published. When the respondent again contacted him for the same purpose, he refused to pay, which resulted in publication of news items. The complainant submitted that the language of the news items was objectionable and were published to defame him in the eyes of the society, family and friends.

### **Written statement**

In response to the Council's Show Cause Notice dated 14.2.2012, the respondent vide letter dated 12.5.2012 submitted that the allegations levelled by the complainant are totally false and far from truth as he is not a reputed entrepreneur and the news items were not as a reprisal measure. He further stated that they never published the impugned news items to degrade any person's reputation and it was also established by the police records that the complainant is a history sheeter and many cases are registered against him in the Chhindwada Police Station. The respondent stated that the impugned news items were

published on the basis of police record, statements and information received from the reliable sources

The complainant while denying all the allegations levelled by the respondent vide letter dated 4.8.2012 submitted that the fact that the respondent had sought time to adduce the evidence before the Council proved that he had published the impugned news items without any basis and evidences. He stated that whatever the evidences were produced by the respondent before the Council were false and baseless. The complainant further alleged that the respondent is indulging in yellow journalism.

#### Hearing before the Inquiry Committee

The matter was listed before the Inquiry Committee for hearing on 22.12.2012 at Bhopal. Md. Farhan Ahmed appeared for the complainant. There was no appearance on behalf of the respondent. The Inquiry Committee heard the complainant and perused the complaint as well as documents produced by him. Contending that the impugned news item was published with malicious intentions for not paying the bill amount for the advertisement, which was not at all published according to the complainant. The Inquiry Committee adjourned the matter directing the complainant to furnish an affidavit affirming that he is the owner of the Surabhi Property Dealer.

#### Report of the Inquiry Committee

The matter again came up for hearing before the Inquiry Committee on 19.9.2013 at New Delhi. Since there was no appearance from either side despite calling the case twice and the directions of the Inquiry Committee had not been complied with it recommend the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 65

F.No. 14/710/10-11-PCI

Dr. Yadu Lal,  
New Delhi.

The Editor,  
Hindustan Times,  
New Delhi.

### ADJUDICATION

This complaint dated 17.1.2011 has been filed by Dr. Yadu Lal, New Delhi against the editor, Hindustan Times, New Delhi alleging publication of false, defamatory and malicious news item captioned **“Delhi Government misreads SC remark, sends doc back to clinic”** in its issue dated 4.1.2011. It was stated in the impugned news item that the Supreme Court observed on 3.1.2011 that the Delhi Government misrepresented and allotted work to an orthopedic doctor who was found professionally unqualified for clinical work by the three committee of experts.

Denying the allegations levelled in the impugned news item the complainant submitted that he was posted as Orthopedic Surgeon in Safdarjung Hospital and promoted as Sr. Orthopedic in 1992. He has stated that Dr. A.K. Singh assuming position as Director of CIO and started harassing him. He further stated that the act of dissemination of false information concealing and disappearance of evidence and illegal omission at part of newspaper/reporter. The complainant submitted that the charges levelled in the impugned news item are published just to harm his reputation and cause loss to him in the on-going proceedings.

The respondent vide letter dated 22.3.2013 submitted that the allegation made by the complainant in his complaint is baseless, false and frivolous. The respondent also submitted that the news report was based on the hearing pertained to the complainant's appeal before Supreme Court against the judgment of High Court of Delhi disallowing his request to appoint him in the surgical department of Safdarjung Hospital, New Delhi and it was not intentionally published to defame the complainant.

### Report of the Inquiry Committee

Following two adjournments of 28.8.2012 and 20.2.2013 the matter once again came up for hearing before the Inquiry Committee on 19.9.2013 at New Delhi. Dr. Yadu Lal appeared for the complainant. Shri Rajeev Chhabra, AVP (Legal) and Shri Arun Pathak, Constituted Attorney appeared for the respondent.

The Inquiry Committee heard both the parties and noted that the respondent's submissions has that they published the news item with no malice or intent to defame the complainant. It, therefore, decided direct the respondent to publish the version of

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the complainant with this statement at an early date at a prominent place in his newspaper. It so recommended to the Council.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to close the complaint as above.



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Sl. No. 66  
Shri Ravinder Dwivedi,  
National President,  
Anti-Corruption Committee,  
Thane(Maharashtra)

F.No. 14/77/9-10-PCI  
The Editor,  
Pratidin,  
Midnapur(W.B.)

### **ADJUDICATION**

This complaint dated 20.3.2009 has been filed by Shri Ravinder Dwivedi, National President, Anti-Corruption Committee, Thane against the Editor, Pratidin, Midnapur, West Bengal for publication of baseless and defamatory news item under the caption “**Janta Ke Pairon tale Dhans Gaya Bhrastachar Nirmulan Samiti Ek Sanstha Ki Rally**” in its issue dated 21.2.2009. According to the news item, Anti-Corruption Committee’s rally intended to visit Kolkatta via East Midnapur and West Midnapur and some other places had been cancelled and postponed on Friday due to public anger. According to informed sources, Anti-Corruption Committee(NGO) has made network since long time in many areas of West Bengal to organize the unemployed young and to take money from them in the name of employment, loans and such other advantage, and gave money to member of the organization for such works by unemployed and young who contacted the members of the Committee. The police arrested the members and sent them to jail.

The complainant has submitted that the Anti-Corruption Committee’s member/workers working in all over India since last 11 years against corruption and crime and the Director General of Police, W.B. had given permission of rally but Midnapur Police has not obeyed the order of DGP and tried to disrupt the rally and defame the Committee. He further submitted that Anti-Corruption Committee is a social organization (NGO) and DGP had

given permission of rally but newspaper has not mentioned about the permission and tried to defame the Committee. The complainant has submitted that the respondent published the news item to defame his Committee by publishing false and baseless news item. The complainant vide letter dated 4.3.2009 had drawn the attention of the respondent editor and requested to publish his contradiction but received no response. A Show Cause Notice dated 5.10.2009 was issued to the respondent Editor, Pratidin, Midnapur but received no response.

#### Report of the Inquiry Committee

Following one adjournment of 19.2.2013 where there was no appearance the matter again came up before the Inquiry Committee on 19.9.2013 at New Delhi. None appeared from either side. The Inquiry Committee noted that since there was no appearance from either side despite calling the case twice and recommend to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.



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Sl. No. 67

Shri Bajireddy Goverdhan,  
Member, Central Governing Council,  
YSR Congress Party, Hyderabad.

F.No. 14/578/11-12-PCI

The Editor,  
Andhra Jyothi,  
Hyderabad.

### **ADJUDICATION**

This complaint dated 24.1.2012 has been filed by Shri Bajireddy Goverdhan, Member, Central Governing Council, YSR Congress Party, Hyderabad against the editor, Andhra Jyothi, Telugu Daily, Hyderabad for allegedly publication of defamatory news items against his party and its President which reads as follows:

<b>S.No.</b>	<b>Caption</b>	<b>Dated</b>
1.	Jagan Pe Sonia Fire	10.12.2011
2.	Whichchinna Vighrahalu	12.12.2011
3.	Jagan Ku E.D.Piluppu	18.12.2011

According to the complainant, it was reported in the news item on 10.12.2011 that Congress high command is very serious on Kadapa MP Jagan who engineered a split to wean away 16 MLAs and made unsuccessful bid to dislodge Congress Government in A.P. A senior leader remarked that the time has come for Jagan to go behind the bars. He observed that the party waited only to win the no-confidence motion and Ms. Sonia Gandhi is fuming against Jagan for effecting a split in the party MLAs and warned that he would face consequences soon. It has also been published that the compound wall for Jagan's house in Bangalore itself cost 100 crores. It has been published in the news item dated 12.12.2011 that 'upset at not able to fulfil his Chief Ministerial ambition, YSR Congress President Jagan initiated a campaign under the cover of Odarpu Yatra and has been luring local aspirants with MLA tickets and making them to spend hugely for Yatra while allotting meager funds. It was reported on 18.12.2011 that Enforcement Directorate wasn't satisfied with Vice Chairman of Sakshi and YS family auditor-Vijayasai Reddy's explanation on foreign funds flow into Jagan companies including Sakshi media. E.D. ordered YSD Jaganmohan Reddy to be presented in person for the investigation and Jagan decided to present himself to give explanation in a couple of days.

Denying the allegations the complainant submitted that they rebutted the content of the same stating that there is no truth in the statement attributed to an unnamed leader of the Congress Party. With regard to the second news item the complainant submitted that they urged the newspaper to substantiate the contents of news item and with regards to the

installation of statues of the late C.M. Sr. Y.S. Rajashekhar Reddy and as regard the third news item, they substantiated the falsity of the content of the news item that E.D. summoned their leader Shri Y S Jagan Mohan Reddy. The complainant further submitted that they also urged the newspaper to publish their rejoinder in denial of the above news items and also their belief that the respondent catering to the needs of the rival political party, which newspaper is managed by a socially parochial organization.

The respondent editor, Andhra Jyothi submitted that the news items are political story and were published on the basis of the statement of the Congress spokesperson and AICC in Charge of Andhra affairs in an informal interaction with the media and the reactions about Jagan's wealth stated by the Congress leaders appeared in the charge sheet also. He also submitted that all the news items are based on authentic sources and personal enquiries made by the news contributor "ONLINE" and after thorough verification by him.

The complainant stated that the news reports were not based on the verifiable facts. He stated that the respondent did not verify the facts or statements made against the YSR Congress Party or its President, Sri Y.S. Jagan Mohan Reddy. He also submitted that the statements published in the news report are utterly false and have been published in blatant disregard to the Norms of Journalistic Norms. He further stated that the respondent has refused to publish the rejoinders/statements of the complainant, which is unfair and illegal on part of the Respondent and ought to be reckoned as abuse of the freedom of press.

#### Report of the Inquiry Committee

Following one adjournment of 5.4.2013 the matter was placed before the Inquiry Committee on 19.9.2013 at New Delhi where Shri Shreyas Reddy, Advocate appeared for the complainant, Shri K. Srinivas, Editor, Andhra Jyoti represented the respondent.

The Inquiry Committee heard both the parties. It noted that the respondent is ready to publish the version of the complainant. Taking this agreement on record it decided to dispose off the matter.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the matter.



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Sl. No. 68

Shri Venkatram Srinivasan,  
Chennai,

vs.

F.No. 14/281/12-13-PCI  
The editor,  
Andhra Jyoti,  
Hyderabad

### **ADJUDICATION**

This complaint dated 25.4.2012 has been filed by Shri Venkatram Srinivasan, Chennai through its advocate against the Editor, Printer/Publisher 'Andhra Jyothi', Hyderabad and Chennai for publication of defamatory news items under the captions "**Settlement Srinivasan ! - He played the main role in Stalin Kabja (Grab) - Will you give? Or occupy with force? There are threats - Came with Registrar to house of signatures - Entered house and violence act on Seshadri's wife and daughter - Satya Sai Central Trust member's great deeds coming into light - Chennai Police are investigating with grim determination**" and "**Anticipatory Bail for Srinivasan refused by the Madras High Court**" in its respective issues dated 18.12.2011 and 23.12.2011.

It was reported in the first news item that the police received a complaint that DMK leader, Shri M.K. Stalin grabbed property in Alwarpet, Chennai. The complaint was lodged by Seshadri Kumar against Stalin (Former Deputy C.M.), his son and four other including Srinivasan and that the Industrialist pressurized Shri Seshadri Kumar to sell his house to Stalin. It was further published that Srinivasan and Raja Shekhar came to Seshadri Kumar's house on behalf of Stalin and forcibly took his signatures on the Sale Deed. It was also published that Srinivasan came to Shri Seshadri Kumar to tell him that some people used him as a tool. It was further alleged that Shri Srinivasan played a main role in house grabbing case of Seshadri Kumar and the police begun investigation. It was published in the second news item that Shri Srinivasan sought anticipatory bail in land grabbing case at Chennai. It was further published that Mr. Stalin and Udayanidhi had already got

anticipatory bail in the case and S/Shri Srinivasan and Venugopalan Reddy were also trying for anticipatory bail, but the court dismissed the petition and the police talked and arrest them.

The complainant denied the allegation that he was entrusted by former Dy. C.M., Mr. Stalin to threaten and force the owner to execute the sale deed document. The complainant stated that the respondent deliberately published the news items to tarnish his image and reputation in the society and added also that he was not in any way involved in the land grabbing case. He further stated that Mr. N. Seshadri Kumar has filed the FIR with Central Crime Branch of Madras vide Crime Non.568/2011 on 30.11.2011 for offence under Section 451, 386, 387, 506 (ii) and 120(B) IPC against 1) P. Venugopal Reddy, 2) M.K. Stalin, 3) Udyanethi Stalin, 4) Raja Shankar, 5) Subba Reddy and 6) Srinivasan. In the anticipatory bail application dated 8.12.2011, the said Shri S.P. Srinivasan was recorded as 43 years old S/O Shri S.P. Naidu and reported to have a good friendship with Shri Seshadri Kumar and that is why he signed the sale deed as a witness. Thus it is very clear, that the above said Shri S.P. Srinivasan is not the complainant as he himself Mr. Vankatram Srinivasan is aged 73 years. The complainant has stated that the age of the accused as mentioned in the FIR is 43 years while his age is 73 years. It established that he is not the accused in the FIR but the respondent deliberately published the defamatory news items to tarnish his reputation. The complainant also alleged that the respondent published the news item also in their e-paper and have stored it in their archives, to attack on complainant's reputation. The complainant vide legal notice dated 27.12.2011 drew the attention of the respondents and requested to publish unconditional apology on the first page and remove the news items from his website archives and also publish apology in his website but received no response.

Shri K. Srinivas, editor, Andra Jyoti vide his letter dated 9.2.2013 has submitted that the complainant made a false declaration in the Council as he has filed a Civil Suit No. 279/2012 before the Hon'ble High Court of Judicature at Madras which is self-explanatory.

#### Hearing before the Inquiry Committee

The matter is placed before the Inquiry Committee on 5.4.2013 at Hyderabad. There was no appearance on behalf of the complainant. Shri G. Subba Rao, Advocate, appeared for the respondent. The Inquiry Committee noted that

the complainant was not present. A letter had been received from the counsel for the complainant stating that he is unable to attend the hearing due to bereavement in his family. The Inquiry Committee allowed the adjournment prayer.

#### Report of the Inquiry Committee

The matter was again placed before the Inquiry Committee on 19.9.2013 at New Delhi. Whereas Mrs. N. Shoba, Counsel appeared for the complainant, Shri K. Srinivas, editor, Andhra Jyoti represented the respondent.

The Inquiry Committee heard both the parties. The complainant counsel has informed the Committee that a suit is filed in the High Court regarding this matter and therefore, they do not want to pursue the matter further. The Inquiry Committee thus decided to dismiss the complaint as sub-judice and withdrawn.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint as sub-judice and withdrawn.



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Sl. No. 69

F.No. 14/514/11-12-PCI

Associated Broadcasting Co. Ltd.,  
Hyderabad  
Daily

vs.

The Editor,  
Sakshi, Telugu

### **ADJUDICATION**

This complaint dated 12.1.2012 has been filed by Associated Broadcasting Company Limited, Hyderabad broadcasters of channel TV 9 through its CEO, Shri Ravi Prakash against “Sakshi”, Telugu daily for publication of a series of allegedly false and motivated news items in its issues dated 22.10.2011 to 26.10.2011. The gist of the impugned news items provided by the complainant read as follows:-

**Dated: 22.10.2011**

“TV9 Ravi Prakash was working on a monthly salary of Rs.3,000/- per month during 1995-96 and now how he got properties worth crores of rupees and how he is conducting his business in Bangalore and African countries? How he purchased lands, can you answer this?...Ravi Prakash has taken SEZ at Tada at Nellor district. Is it that you (Ravi Prakash) have also paid bribe to (YS Rajashekar Reddy) Y.S.?”...

**Dated: 23.10.2011**

“The attitude of TV9 channel which claims that it stands for ‘better society’ reminds that sermons are only for preaching and not for practising!...the foundation of TV9 lies in ill-gotton income from Satyam Computers. TV9 owner Mr. Chintalapati Srinivasa Raju @ Srini Rajy colluded with Satyam Ramalinga Raju and took away 2400 crores from Satyam for nothing...”.

**Dated 24.10.2011**

“...half-truth, out of context, jealous, animosity, victimization if all these characters’ are clubbed together it becomes TV channel to face Kadappa MP Jagan Mohan Reddy and to suppress him that channel did not leave any opportunity...It is a daily practice for the TV channel to relay repeatedly all those statements made against Jagan and make an issue in its own style in the guise of debate and also by cooking stories to show Jagan in poor light. That channel is TV9. Though it claims it stands for Better Society in fact it embedded with venom, jealous and animosity and flows only rotten which is emanating more stink than the other channels in yellows syndicate and irritating the viewers... actually the emergence of TV9 has happened as a beginning of destruction of Satyam computers...”

**Dated 25.10.2011**

“... How Ravi Prakash got hundreds of acres of land when his income was only Rs.3000/- 10 years ago? How much money was given to Chandrababu by Srinu Raju for Ilbas?...actually the birth of TV9 itself is the reason for Satyam bankruptcy...?”

**Dated 26.10.2011**

“TV9 that embarked on a ‘target-Jagan’ campaign had stooped down from opinion-influencing news reports in a bid to appease Chandrababu Naidu to a new low of fictitious stories.”

Denying the allegations levelled in the impugned news items, the complainant has submitted that the “Sakshi” newspaper is owned by Jagathi Publication under the control of Shri Y.S. Jagan Mohan Reddy, who is a Member of Parliament and a Founder President of YSR Congress Party. According to the complainant, though the respondent claims that its news and views are independent and are under the control of Independent Editorial Board, but in practice the newspaper is misusing the freedom of press and is being used by Mr. YS Jagan Mohan Reddy and his party YSR Congress as a weapon to attack and tarnish image of individuals and organizations. The complainant has alleged that the impugned news items are defamatory, against the standard ethics of journalism, public taste and amounting to professional misconduct. The allegations made by the respondents in the impugned articles are scurrilous, objectionable, false, concocted, baseless and are in abuse of press freedom and are below the level of recognized standards of journalist ethics. The statements of the respondents and its publication are intended to malign the reputation of the channel. According to the

complainant, Sakshi TV is a competitor in the same vernacular language in which TV9 Telugu broadcast its programs. The viewer base is one and the same for Sakshi TV and TV9. Sakshi TV is a sister concern of Sakshi, Telugu daily newspaper whose management and control rests with the same people as that of the management and control of Sakshi newspaper. The complainant has further submitted that a batch of 3 WP fallen for consideration of the division bench of the Hon'ble High Court of Andhra Pradesh inter-alia alleging that the late Dr. YSR Reddy had extended huge benefits in the shape of allotment of lands, mineral rights, licenses, SEZs, rights to develop a port all along the eastern coast of Andhra Pradesh, apart from permission for staff hotels and complexes in and around Hyderabad including other major cities in Andhra Pradesh, which was disposed off by the Hon'ble Court on 10.8.2011 by directing the CBI to register a crime and investigate into the accusations indicated hereinabove and other aspects relevant thereto and take the investigations to its logical end in accordance with law. In compliance of the orders of the Hon'ble High Court, the CBI filed an FIR under provision of IPC Sections 120-B, R/W 420, 409, 420, 477-A and under Section 13(2) R/W 13{1}{C}{D} of Prevention of Corruption Act, 1988 against the respondents and others and started the investigation. The complainant has stated that their channel TV9 ran several stories concerning the allegations of ill-gotten wealth of Mr. Jagan Mohan Reddy and the various companies directly or indirectly involved in the case in public interest. The complainant has alleged that, annoyed with these, the respondent with a view to harm their reputation, deliberately published the defamatory, slanderous, malicious news in their newspaper. The complainant has further alleged that the respondent resorted to a deliberate smear and malicious campaign against them as a counter blast to the news coverage of the issue relating to Mr. Y.S. Jagan Mohan Reddy and others. The complainant has also alleged that the language used by the respondent in the impugned articles is vengeful, intimidating, unparliamentary, unknown to decent journalism. The complainant has sent legal notices dated 1.11.2011 and 8.11.2011 to the respondent with a request to publish an unconditional apology. In response thereto, the respondent failed to comply with the notice and replied to the notices inter alia admitting that they would continue to do so the manner in which they published the impugned news items as long as they (complainant) continues to cover the stories about Mr. Y.S. Jagan Mohan Reddy, complainant submitted.

The respondent vide letter dated 14.4.2012 has stated that he neither with reference to the impugned publication or otherwise, have not committed any professional misconduct nor has offended against the standard of journalistic ethics or public taste warranting any action. He has submitted that the management of Sakshi newspaper does not in any manner dictate the contents of the publication, which vests with the editorial board, insulated from any interference and the contentions of the complainant to the contrary are untenable. According to him, the allegation that the newspaper is misusing the freedom of press and is being used as a weapon to attack and tarnish the image of individuals and organization who performed their legal public and professional duties is misconceived. He has stated that it is equally incorrect to contend, as would be substantiated hereinafter, that the complainants have been performing their legal professional and public duties in exposing the misdeeds allegedly committed by Shri Y.S. Jagan Mohan Reddy and his Group of companies. The respondent further submitted that the complainant, in the guise of reporting on the ongoing investigation into the group companies of Shri Y.S. Jagan Mohan Reddy, have been spearheading a venomous campaign against Sakshi newspaper and Sakshi TV out of competitive spite and the complainants have lowered the dignity of journalism to the lowest ebb, hitting the nadir, motivated by factors of personal, social and business rivalry. He further stated that the information concerning the financial mismanagement within the Satyam Group organized by Shri Ramalingam Raju and his family members was already in public domain including the article.

The complainant vide letter dated 4.6.2012 has submitted that the written statement is utterly false and frivolous. He further stated that the management of Sakshi does not in any manner dictate the contents of editorial board, insulated from interference. He has further stated that it is false to state that they have been performing their legal, professional and public duties in exposing their misdeeds allegedly committed by Shri Y.S. Jagan Mohan Reddy and his group of companies. He further stated that there was a direction from the Hon'ble High Court of Andhra Pradesh to the CBI for investigation of the same which was duly covered by the channel as an important subject matter. The complainant has stated that the respondent submitted not only a false statement but also the statement to justify their malicious campaign/attack on TV 9.

The matter is placed before the Inquiry Committee on 5.4.2013 at Hyderabad. Dr. J Vijayalakshmi Archana Pydah and Padmavathi, Advocates appeared for the complainant. S. Srirani and P. Shreyas Reddy, Advocates appeared for the respondent. The Inquiry Committee heard both the parties. The Inquiry Committee noted that both the parties were agreed that attempt be made first to resolve the dispute through the Mediation Centre. The Inquiry Committee directed to let the matter be sent to the Tamil Nadu Mediation and Conciliation Centre in Chennai. After that mediation proceedings are over, the mediator will submit its report to the Committee.

Assistant Registrar, Tamil Nadu Mediation and Conciliation Centre, High Court, Madras vide his mediation report dated 12.7.2013 has submitted that the respondent agreed to publish the rejoinder in 15 days from the date of this Mediation Agreement as formally approved by the Hon'ble Press Council of India and both the parties agreed that they will not pursue the complaint once the publication of the rejoinder is made by the respondent.

#### Report of the Inquiry Committee

The matter was considered before the Inquiry Committee on 19.9.2013 at New Delhi. Shri Sanjeev Srivastava, Asstt. Manager and Shri S. Bharat Kumar, Advocate appeared for the complainant. Shri Shreyas Reddy, Advocate and Shri P. Srinivas, Legal Co-ordinator appeared for the respondent.

The Inquiry Committee heard both the parties and also carefully perused the Mediation Agreement and Report dated 12.7.2013 submitted by the Assistant Registrar, Shri S. Vijay Kumar, Tamil Nadu Mediation and Conciliation Centre. It was stated in this Agreement that the respondent agreed to publish the rejoinder in 15 days and both the parties agreed that they will not pursue the complaint once the publication of the rejoinder is made by the respondent.

The Inquiry Committee accepting the agreement decided to dispose off the complaint as settled through the Mediation Centre. The respondent to publish the rejoinder referred to in the aforesaid Agreement. It directed the respondent that the publication of rejoinder should be done expeditiously.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the matter being settled through the Tamil Nadu Mediation Center.

Sl. No. 70

F.No. 14/320/11-12-PCI

Ch. Tirumala Prasad  
Jeedimetla, Suchitra Junction  
Hyderabad

The Editor  
Namasthe Telangana  
Hyderabad

### **ADJUDICATION**

This complaint dated 25.9.2011 has been filed by Ch. Tirumala Prasad, Hyderabad against “Namasthe Telangana”, Telugu daily newspaper for publication of allegedly derogatory and objectionable editorials under the captions ‘**Nirankusa Paripalana**’ (DICTATOR GOVERNMENT) and ‘**Neethi Bahya Prabhuthawam**’ (IMMORAL GOVERNMENT) on 20.9.2011 and 22.9.2011 respectively. It was alleged in the impugned news-items that the agitators demanding a separate Telangana were brutally supported by the State Government. The Government of Andhra Pradesh run by leaders from Andhra Pradesh and Rayalseema regions, was in a conspiracy to suppress this agitation of Telangana state. The brutal police lathi charge on agitating students of Osmania University and Nizam College at Hyderabad was only due to fact they belonged to the Telangana region, and further stated that the State Government treated them as if they are foreign invaders. It was also alleged in the impugned news-item that State Government converted the Telangana region into a jail just like the Americans did in Iraq by beating the students, employees, former political party workers and the other agitating public with lathis. It was alleged in the second impugned news-item, that the Government was trying to suppress the agitation of (APSRTC) Andhra Pradesh State Corporation who were on strike demanding separate state-hood of Telangana, by making all efforts to split the striking workers. The State Government is responsible for the death of an auto driver who was run over intentionally on the pretext of law & order control. The Chief Minister was also alleged to have sent false reports to the Central Government to the affect that Telangaana agitation was minimal and if that was so why the State Government asked the Central Government to send extra paramilitary forces to control this agitation questioned the news-item.

The complainant has alleged that the respondent published wrong and objectionable news-item criticizing the State Government with biased comments. He further alleged that the respondent gave false, communal and regional tone to the report of the incidents in which Andhra and Telangaana people were involved. The respondent made disrespectful, derogatory and insulting remarks on “Seemandhra” region people in Andhra Pradesh, alleged the complainant.

The respondent in his written statement dated 28.1.2013 submitted that the allegations levelled by the complainant are absolutely false, made with the purpose to harm, injure and obstruct the newspaper from performing its legitimate duty. The complainant has mislead the Council by wrongly translation as to register the case added the respondent.

The complainant vide his rejoinder dated 5.4.2013 submitted that the written statement of the respondent is ambiguous, irrelevant and unsatisfactory as it has not given proper explanation to his complaint except on usage and existence of the term SEEMANDHRA to represent the people of Coastal Andhra and Rayalaseema regions of the State of Andhra Pradesh. The complainant submitted that the respondent deliberately made derogatory remarks against the people of SEEMANDHRA region and warned them of serious consequences by writing “Khapaddhaar Seemandhra people” (Be careful Seemaandhra people) and alleged that Seemandhra people are laughing at agitating telangana protagonists by making insulting comments. The complainant further submitted that the respondent is guilty of crimes such as incitement to violence, glorification of vandalism, hate mongering, circulation of rumours, promoting hatred and enmity between sections of the Society, using inflammatory and provocative language, egotising the suicides, encouraging public to revolt against the State, Seditious for equating the State with enemy country soldiers.

#### Report of the Inquiry Committee

The matter was placed before the Inquiry Committee on 19.9.2013 at New Delhi. None appeared from either side.

The Inquiry Committee noted that in the complaint against editorials there was no appearance from either side despite calling the case twice and recommends the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.

Sl. No. 71

Smt. Raj Kumari Kapoor,  
Allahabad, U.P.

F.No. 14/193/11-12-PCI

The Editor,  
Amrit Prabhat,  
Allahabad, U.P.

### **ADJUDICATION**

This complaint dated 25.7.2011 has been filed by Smt. Raj Kumari Kapoor, Allahabad, U.P. against the editor, Amrit Prabhat, Allahabad, U.P. allegedly publication of false, baseless and defamatory news item under the caption "***Saas va Pati ke atyachaar se vivhaita ki durdsha | do masoom bachho ko lekar sadak par jeene par mazboor hain Neelu***" in its issue dated 26.5.2011. It is stated in the impugned news item a married lady is being harassed and threatened to be killed by her husband and mother-in-law for demanding food for her children. It is alleged that the complainant and her son started harassing the lady named Smt. Neelu soon after the marriage and as a result she had to leave her husband's home for ensuring safety of her children and started living in a rented house. It is further alleged that the lady also made a complaint in the police station but in vain rather her mother-in-law and husband tried to implicate her in false case.

The complainant while denying the allegations levelled in the impugned news item stated that the news item was not published on the basis of the facts and is completely false and baseless. She stated that she had sold her self-acquired house as she needed the money and not with the intention to harass her daughter-in-law. She alleged that due to the said publication, she had to face mental agony and her image has also been maligned in public at large. She sent a letter to the editor of the newspaper on 30.5.2011 for publication of contradiction but no response has been received.

A Show Cause Notice was issued to the respondent editor on 11.8.2011 but no written statement has been filed.

### **Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. None appeared from either side.

The Inquiry Committee noted that there was no appearance from either side despite calling the case twice and recommend to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.

Sl. No. 72

F.No. 14/62/11-12-PCI

Shri Juti Prasad Singh,  
Principal, Rajkiya Middle School,  
Latehar, Jharkhand

The editor,  
Dainik Bhaskar  
Ranchi

### ADJUDICATION

This complaint dated 9.5.2011 has been filed by Shri Juti Prasad Singh, Headmaster, Govt. Sec. School, Jharkhand against the editor, Dainik Bhaskar allegedly publication of a series of false, misleading and baseless news articles in its following issues:

Sl. No.	Caption	Dated
1.	<i>Yogyta chupa kar paayi naukri, ban gaye Headmast</i>	6.2.2011
2.	<i>Nilambil Headmaster usi school mein sthanantrit</i>	7.2.2011
3.	<i>Headmaster ne roka madhyahan bhojan, bhook chatpataye bachhe</i>	8.2.2011
4.	<i>Bhrashtachar ki bheit chadi kai yojnaaye</i>	9.2.2011
5.	<i>Madhyahan bhojan ko daal mein mile keede</i>	10.2.2011
6.	<i>Mahilaayon ne ki Principal ki pitaayi</i>	23.3.2011
7.	<i>Mahilaayo ke saath maarpeet kaa prayas</i>	24.3.2011
8.	<i>D.S.E. karyalya mein udd rahi niyamo ki dhajhiya</i>	31.3.2011

The complainant, while denying the allegations levelled in the impugned news items, stated that the news items were completely false, baseless and defamatory. He alleged that the news items contained unparliamentary language for him which caused mental agony and also maligned his image as he is a respectable person in society and had received many awards in his field. He sent a letter dated 2.4.2011 to the chief editor of the newspaper and also sent legal notice on 19.4.2011 but no response has been received.

A Show Cause Notice was issued to the respondent editor 25.7.2011 but no written statement was filed.

### Report of the Inquiry Committee

The matter again came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. There was no appearance on behalf of the complainant. Shri Jitendra Kumar Singh appeared for the respondent.

The Inquiry Committee noted that there was no appearance from the complainant's side despite calling the case twice and recommend to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.

Sl. No. 73

F.No. 14/234/11-12-PCI

Shri Pawan Kumar Sharma  
Sub Inspector  
Chandinagar Police Station  
Baghpat, Uttar Pradesh

The Editor  
Dainik Jagran  
Meerut  
Uttar Pradesh

### **ADJUDICATION**

This complaint dated 10.8.2011 has been filed by Shri Anuj Kumar Sharma, advocate on behalf of Shri Pawan Kumar Sharma, Sub-Inspector, Chandinagar Police Station, Baghpat, U.P. against 'Dainik Jagran' Hindi Daily, Meerut, Baghpat and i-next editions alleging publication of false and defamatory news-items dated 7.8.2011 under the following captions:

S.No.	Caption
1.	Lutera Thanedar Do Sipahio Sangh Girftaar
2.	Khaki Vardi Mai Khunkhar Bhariaya
3.	Loot Ki Planning Mai Meerut Ke Do Sipai Samait Panch dhare
4.	Loot Karte Dabochai Gaye Chandinagar S.O.

It is alleged in the impugned news-items that the SO of Chandinagar, Baghpat Police Station who was also former incharge of Meerut SOG and two constables alongwith some goons were arrested in a looting case. The photograph of the complainant is also published with the news-item. It is also alleged in the impugned news-items that all of them were looting the villagers by using a stolen Innova Car. The complainant S.I. Shri Pawan Sharma & his accomplice alleged to have not only despoiled but their aim was to eliminate one of their enemies after taking money (Supari).

The complainant has alleged that the respondent demanded Rs.20,000/- to perform some illegal work and when refused, the respondent got irritated and published totally false, baseless and defamatory news-items which caused grave damage to his social and political image and reputation in the family, friends and public. The news-items in question are published intentionally to cause irreparable damage to his reputation. The complainant also alleged that the respondent with malafide intention tried to blackmail him. Further, the news-items are published by the

editor, Dainik Jagran without seeking any clarification. A copy of the complaint was also sent to the respondent but he did not respond.

A Show Cause Notice was issued to the respondent on 10.2.2012 but no response has been received.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. The Inquiry Committee noted that there was no appearance from either side despite calling the case twice and recommend to the Council to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.

Sl. No. 74

Shri Gulzar Hussain,  
Assistant Teacher (Ex)  
Primary School  
Khayampur District, Kanshiramnagar, U.P.

F.No. 14/264/11-12-PCI

The Editor,  
Dainik Jagran,  
Agra, U.P.

**ADJUDICATION**

This complaint dated 6.8.2010 has been filed by Shri Gulzar Hussain, Assistant Teacher (Ex), Primary School, Khayampur District, U.P. against the editor, Dainik Jagran, Agra, U.P. alleging publication of false, baseless and defamatory news item under the caption “**Samayyojan ke bawjood nahi khule vidyayalaya**” in its issue dated 23.7.2010. It was reported in the impugned news item that due to the negligence of Shri Gulzar Hussain, the schools of Village Khayampur do not open on time and if they open on time, then the teachers do not arrive on time. It was further alleged that the officers of the Education Department have complained about it many times.

The complainant while terming the statement levelled in the impugned news item as completely false, clarified that no proceeding was initiated against him by any officer till date and also whenever there was an inspection in the school, he was always present at that time. He further raised question as to how can other schools remain closed due to his negligence. He further stated that the respondent by publishing this news item attacked on his social image and tried to malign his image in public at large. He also alleged that one journalist of Dainik Jagran, Kasganj threatened him. He sent various letters to the respondent for publication of contradiction but received no response.

The complainant vide letter dated 27.3.2012 has informed that the respondent published a contradiction under the caption “**Vidyayalaya khula aur adhyaan kaarya bhi hua**” in its issue dated 3.3.2012. The complainant, while expressing dissatisfaction, has alleged that the published contradiction is misleading and totally different from the impugned news item. According to him, he never given this contradiction to the respondent or its editor.

A Show Cause Notice was issued to the respondent editor on 18.2.2013 for written statement followed by reminder dated 24.6.2013 but no written statement was filed.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. The Inquiry Committee noted that there was no appearance from either side despite calling the case twice and recommend to the Council to dismiss the case for default.

## Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.

Sl. No. 75

Shri Rahul Jain,  
District Programme Manager,  
National Rural Health Mission,  
C.M.H.O. Office, Khargon, M.P.

F.No. 14/223/11-12-PCI

The Bureau Chief,  
Dainik Jagran,  
Khargon, M.P.

## ADJUDICATION

This complaint dated 11.8.2011 has been filed by Shri Rahul Jain, District Programme Manager, National Rural Health Mission, C.M.H.O. Office, Khargon, M.P. against the Bureau Chief, Dainik Jagran, Khargon, M.P. alleging publication of false, misleading and defamatory news item captioned “**Gramin Swasthaya Mission mein lakho rupyo kaa ho raha durupyog**” in its issue dated 8.8.2011. It was alleged in the impugned news item that the complainant had misused the crores of rupees of NRHM Programme. It was also alleged that the complainant has banned the drivers of the Call Centers to enter into the hospital.

Denying the allegations levelled in the impugned news item, the complainant stated that the news item was published to malign his image besides to pressurize him to get some work from the government projects for him and his son. He alleged the Bureau Chief, Shri Umesh Goswami pressurized him for the last six months to get his work done regarding

grabbing of tender in the project work from the department for his son and to get some jobs for the drivers in the project. Annoyed at being unsuccessful, the complainant published false and defamatory news item against him. He also stated that he had filed a case against the respondent in this regard in the Court of Law. The respondent published baseless news items against him with a motive that the complainant can withdraw his case against the respondent which is pending in the Court. He added that many cases of theft and other were registered in Khargon Police Station against the respondent Shri Umesh Goswami. The complainant has tried to talk to the Manager of Dainik Jagran, Shri Dube on phone twice but he refused. Thereafter, he sent a letter to the Bhopal Office of Newspaper but they refused to take it. The complainant submitted that previously the respondent also published defamatory news items against him under the caption “*Drivero ke call center mein jaane par rok*” and “*Oxygen par swasthayien sewayien*” in its issued dated 16.3.2011 and 24.6.2011 respectively.

A Show Cause Notice was issued to the respondent on 22.12.2011 for written statement but no written statement has been filed.

#### Report of the Inquiry Committee

The matter again came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. There was no appearance on behalf of the complainant. Shri V.K. Verma, Personnel Officer and Shri R.K. Awasthy, Regional Head appeared for the respondent.

The Inquiry Committee was informed by the representatives of the respondent that the complainant has no grievance now against the respondent. The complainant vide letter dated 27.8.2013 has also informed the Council that he has filed a petition in the Court against the correspondent Shri Umesh Goswami and he has no grievance against the editor & publisher of the newspaper. The Inquiry Committee, therefore, decided to dismiss the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.

Sl. No. 76  
Shri Jaswant Singh,  
Superintendent of Police (City),  
Dehradun, Uttrakhand

F.No. 14/634/11-12-PCI  
The Editor,  
Shivalik Blitz,  
Dehradun, Uttrakhand

### **ADJUDICATION**

This complaint dated 10.2.2012 has been filed by Shri Jaswant Singh, Superintendent of Police (City), Dehradun against the editor, Shivalik Blitz, Dehradun for publication of false, misleading and defamatory news article under the caption “***Mukhyamantri ji Brhasht police kaptan kaa ilaaz kare***” in its issue dated 26.1.2012. It was stated in the impugned news item that for how long the Chief Minister, Shri B.C. Khuddi will tolerate the corrupt police captain of the City. It was also alleged that the Chief Minister and other officials are not taking any legal action against the City Police Captain despite knowing the fact that he is doing the illegal activities and the City People now raising questions on the working procedure of the Chief Ministers. It was further alleged that the City Police Captain has a main role in exposing the confidential documents of the Secret Agencies.

The complainant while denying the allegations levelled in the impugned news item stated that the allegations are completely misleading and baseless. He alleged that the respondent intentionally published this news article in order to blackmail him and to malign his image in public at large. He stated that he had received many bravery awards in his police service. The complainant has sent a letter dated 18.2.2012 to the editor of Shivalik Blitz requested him to publish the contradiction but in vain.

The respondent Chief Editor, Shri Jagmohan Sethi vide letter dated 29.5.2012 has stated that the newspaper believes in fair reporting and that is why the newspaper had published the version of the complainant in their newspaper under the caption “***Police Kaptan mukadma thokenge, chappi khabar par uthaya aitraj***” in its issue dated 1.3.2012. He stated that their intention is not to malign him but to expose the wrong activities done by a public servant which

is a duty of every journalist and the newspaper. He also denied that the complainant is respectable people as many complaints were pending against him in the police headquarter of Uttar Pradesh.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. The Inquiry Committee noted that there was no appearance from either side despite calling the case twice and recommend to the Council to dismiss the case for default.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.

Sl. No. 77  
Shri P.C. Srivastava  
Advocate  
Supreme Court of India  
New Delhi

F.No. 14/562/12-13-PCI  
The Editor  
The Times of India  
New Delhi

**ADJUDICATION**

This complaint dated 20.11.2012 has been filed by Shri P.C. Srivastava, Advocate, Supreme Court of India against the Editor, The Times of India for non publication of a news-item. The complainant has submitted that he sought information from CBI under RTI Act, 2005 that 'why the names of Mukesh Ambani and Anil Ambani were not shown in the Charge Sheet and under whose opinion & orders their names were excluded in the Charge Sheet'? But the PIO refused to provide such information. On 26.5.2011, the Central Information Commission allowed the appeal of the complainant and directed the PIO-cum-S.P., CBI, Chennai to provide the required information to the complainant. A report in this regard was published in The Times of India on 28.5.2011. The complainant has stated that The Times of India also published related news-items on 27.6.2011, 14.7.2011 and 28.7.2011 under the captions: 'CIC raps CBI for not giving info on Ambanis', 'Ambani call case: HC Stays CIC ruling', and 'CIC fines CBI official Rs.5, 000/- for delay in providing info on Ambanis' respectively. The complainant has submitted that Hon'ble High Court of Delhi passed Orders in the said matter on 7.11.2012. Detailed report of the same was released by the news-agencies viz: PTI, UNI, DNA and published in many national newspapers but the respondent newspaper The Times of India did not report the said news in any of its edition. The complainant has alleged that the respondent newspaper had done this under the influence of S/Shri Mukesh Ambani, Anil Ambani and their company (Reliance Infocom Ltd.). The complainant further alleged that the respondent offended against the standard of journalistic ethics & public taste and editor of respondent newspaper has committed professional misconduct.

#### Written statement of Times of India

The respondent editor, The Times of India in his written statement dated 25.2.2013 refuting the allegations levelled by the complainant submitted that the newspaper enjoys an exceptionally high and dignified position amongst its readers not only in India but worldwide, for the authenticity of its news coverage. He has further submitted that it is the discretion of an editor of a newspaper to decide as to what will be published in the newspaper and if he feels that a particular article is of concern or interest to the readers, he is entirely at liberty to publish the same for the benefit of the public at large as he is the person responsible for the selection of the news to be published in the newspaper as per law.

The respondent denied that S/Shri Mukesh Ambani, Anil Ambani and their company has influenced the newspaper so as not to publish any further news on the case against Reliance Group.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. The complainant, Shri P.C. Shrivastava appeared in person. There is no appearance on behalf of the respondent.

The Inquiry Committee heard the complainant. It noted that the grievance of the complainant is that the respondent editor did not publish certain news item in his newspaper. It noted that it is the discretion of an editor of a newspaper to decide what will be published in the newspaper that he finds to be of public interest as he is the person responsible for the selection of the news to be published in the newspaper as per law. Accordingly, it decided to dismiss the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the complaint.

Sl. No. 78

Sh. Ramlal Jaat,  
State Minister of Mines,  
Government of Rajasthan,  
Jaipur.

vs

F.No. 14/375/11-12-PCI

The Editor,  
Rajasthan Patrika,  
Kesargadh, Jaipur  
Rajasthan

#### **ADJUDICATION**

This complaint dated 12.11.2011 has been filed by Shri Ramlal Jaat a Minister in the Government of Rajasthan, Jaipur, against the editor, Rajasthan

Patrika, Jaipur, Rajasthan for publication of false, baseless defamatory and misleading news articles under the caption “**Sawalo ke ghere mein Ramlal Jaat – Mantri yaa.....!!**” and “**Madadgaaro ko baithaya bade-bade pado par**” in its issue dated 12.11.2011. It was stated in the impugned news items that the lecherous activities of Shri Ramlal Jaat have been exposed in Paras Devi death case who was connected to Bhavri Devi CD Case. It was alleged that Shri Ramlal Jaat in hurry took the body of Paras Devi to Bhilwada then Gulabpura and again to Bhilwada for doing post-mortem in the midnight. It raises many questions like what is the relation of Shri Ramlal Jaat with Paras Devi? - Why Shri Ramlal travelled whole night with the body of Paras Devi from Bhilwada to Gulabpura? - Why the need of doing post-mortem in the midnight arises? - Has Paras Devi committed suicide or she has also been murdered like Bhavri Devi? It was also alleged that Shri Ramlal Jaat was very lecherous in nature as his pressure is on all the persons, whether they are the wives of the officers or the lady officers itself. Any officer who protests against him, has to face bad consequence of this. It was further alleged that even Shri Ramlal Jaat’s father is against him while the Government keep on rescuing him. It was further alleged that Shri Ramlal Jaat deputed many persons who help him on big posts for doing corruption.

The complainant while denying the allegations levelled in the impugned news items stated that the allegations are completely false, baseless and defamatory. The intention of the respondent is to malign him and his relatives image in public at large. He alleged that the respondent published these news articles without any basis. It seems from the article itself that he only uses ‘Jaankaro kaa kehena hain....., Jaankari mein aaya hai....., nikat se jaanne waale jaante hai....., Rangeen mizazi ke kisse chan-chan ke aane lage hai.....’, these types of phrases as he did not have any facts for these. He alleged that the respondent is indulging in yellow journalism by publishing the news items without any facts. He has sent a letter on 12.11.2011 to the editor of the newspaper but received no response.

#### No written statement

A Show Cause Notice was issued to the respondent editor on 30.5.2012 for written statement but no written statement has been filed.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.9.2013 at New Delhi. There was no appearance on behalf of the complainant. Shri Mahesh Vijay, Advocate and Sanjeev Singhal, Advocate appeared for the respondent.

The Inquiry Committee noted that there was no appearance from the complainant's side despite calling the case twice and recommend to the Council to dismiss the case for default.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dismiss the case for default.

Sl. No. 79

Public Relation Officer,  
Dr. Punjabrao Deshmukh  
Krishi Vidyapeeth,  
(Maharashtra).  
Akola (Maharashtra).

vs

F.No. 14/471/10-11-PCI  
The Editor,  
The Times of India,  
Nagpur

### **ADJUDICATION**

This complaint dated 11.10.2010 has been filed by Dr. Punjabrao Deshmukh Krishi Vidyapeeth, Krishinagar, Akola through its Public Relation Officer against the editor, Times of India, Nagpur for publication of defamatory and derogatory news items under the captions as below:

<b>S.No.</b>	<b>Caption</b>	<b>Date</b>
1.	Another Vice Chancellor under Fire	13.7.2010
2.	Scam tainted officials serve on PDKV selection panel	26.8.2010
3.	Flow Galore in PDKV recruitment	4.9.2010
4.	Mayande's appointment as Mafsu VC raises eyebrows	5.9.2010

The complainant has submitted that these news items defame Dr. Punjabrao DeshmukhKrishi Vidyapeeth. The complainant has stated that the Reporter namely, Snehalata Srivastava has indulged in publishing one-sided news, perhaps for publicity making totally incorrect and false allegations against the officials of the Vidyapeeth including the respected Vice Chancellor. He added that the said news items were published without taking any clarification from the Vidyapeeth and false allegations were made to the effect that Vice Chairman is misusing his powers by using car, accommodation at Nagpur, irregular payments etc., The language and wordings used in the news items targeted primarily to defame the University and Vice Chancellor. He further submitted that the said reporter had oral conversation on the mobile phone of Vice Chancellor, however the opinion of the Vice Chancellor was not published. He submitted that in spite of giving clarification in respect of news items, no clarification was published. He drew the attention of the respondent editor vide letters dated 9.9.2010 and 26.9.2010 but received no response. The respondent failed to file its reply statement, despite seeking copies of Show Cause Notice.

#### Report of the Inquiry Committee

Following two adjournments of 15.7.2013 and 22.8.2013, the matter again came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. There was no appearance from either side.

The Inquiry Committee noted that the petitioner has sent a letter requesting the Committee to decide the case on merits. It perused the complaint, the facts of the case carefully and absence of the reply statement and held that the Editor of the newspaper should publish the version of the complainant expeditiously under report to the Council. It reported this to the Council.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the matter holding the respondent liable to publish the version of the complainant universally.

Sl. No. 80

F.No. 14/146/12-13-PCI

The General Secretary,  
Popular Front of India,  
Noida Road, Kalindi Kunj,  
New Delhi – 110025

vs

The Editor,  
Dainik Jagran,  
Meerut Edition,  
Mohkampur, Delhi Road,  
Meerut- 250 130.

### **ADJUDICATION**

This complaint dated 16.04.2012 has been filed by the General Secretary, Popular Front of India against the Editor, the Printer & Publisher and the Reporter, Dainik Jagran for publishing the false, fictitious, baseless and defamatory news item under caption “**Atanki Sangatan PFI par pratibandh**” on dated 23.07.2011. It was stated in the impugned news item according to the international sources, PFI has links with anti-national elements due to which it was banned. It was alleged that the organization has raised its army and a photo of armed parallel army is also published in the PFI magazine. It has further alleged that PFI is controlled by those peoples who previously worked for SIMI. It was blamed that PFI is running a shadowy campaign “Love Jihad” to lure innocent girls from other communities.

The complainant has stated that the news items claim that Intelligence has already collected one PFI Magazine, which had a photo armed Parallel Army of PFI, is completely false and fictitious as they didn't mentioned any name. Also, another news item in which respondent alleged that PFI is running a shadowy campaign “Love Jihad” to lure innocent girls from other communities is totally false and baseless. He alleged that the respondent published these news items with an intention to tarnish/malign the image and reputation of PFI. He further stated that the activities of the respondent clearly establish professional misconduct. He has sent a letter to the Editor of Dainik Jagran on 26.07.2011 requesting him to republish the news item with an unconditional apology in the next immediate issue of their newspaper. Upon this, the respondent published a small article in his newspaper on 02.08.2011 in page no. 13 under the caption “*PFI aatanki sangatan nahi*”. The complainant is not satisfied with the rejoinder published by the respondent as they did not publish an unconditional apology for the said fictitious and untrue report. Tthe complainant being aggrieved against the said impugned news item issued a legal notice on 01.02.2012 through its General Secretary to tender unconditional apology with the admission of their false and concocted reporting at the same space in their newspaper within a stipulated period after the receipt of the said legal notice but no response has been received.

Report of the Inquiry Committee

Following two adjournments of 16.7.2013 and 22.8.2013, the matter again came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. Shri Bahar V. Barqi, Advocate, Shri A. Mohamed Yusuff, Advocate, Shri K.P. Mohamad Shareef, Advocate and Shri Maroof Ahamed, Advocate appeared for the complainant whereas no appearance on behalf of the respondent.

The Inquiry Committee heard the Counsels of the complainant. It noted that there was no appearance from the respondent although notice has been served and no written statement had been filed despite three opportunities. The grievance of the complainant is that PFI has been described by the respondent newspaper as terrorist organization which it denies and claims to be a social organization. Hence, the Inquiry Committee directed the respondent to publish the statement of the complainant expeditiously under report to the Council. With the above direction, it decided to dispose off the complaint.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the matter.

Sl. No. 81

The General Secretary,  
Popular Front of India,  
Noida Road, Kalindi Kunj,  
New Delhi.

vs.

F.No. 14/150/12-13-PCI

The Editor,  
Dainik Jagran,  
Delhi Edition,  
INS Building, Rafi Marg,  
New Delhi.

**ADJUDICATION**

This complaint dated 16.04.2012 has been filed by the General Secretary, Popular Front of India against the Editor, the Printer & Publisher and the Reporter, Dainik Jagran for publishing the false, baseless and defamatory news item under caption “**Sandheh ke gere mein PFI!**” on dated 19.02.2012. It was stated in the impugned news item that PFI can become a threat to the Country as they had a relations with the terrorist group SIMI

(Student Islamic Movement of India). It was alleged that according to the investigation agencies, PFI has an involvement in the terrorist activities and the organization is expert in making bombs (IEDs) and weapons. It was also stated that PFI arranged an arms training camp last year for the members of PFI in Karnataka. Also, the complainant is linked with the Israel Embassy Car blast incident.

The complainant stated that spreading such kind of false and baseless news item clearly shows that the respondent is indulging in slinging mud on the complainant without any evidence. It has been further stated that the respondent intentionally and maliciously tried to link the complainant with Israel Embassy Car blast incident. The complainant further stated that the allegations such as arms training camp for the members of the PFI in Karnataka, complainant's stand on Indo-Israel relation etc. are completely false and baseless as police in Karnataka has not issued any statement against these allegations. The complainant alleged that the respondent is trying to portray him as a terrorist organization and publish the news item with an intention to tarnish/malign the image and reputation of him. He further stated that the activities of the respondent clearly establish of professional misconduct and a clear blot on the face of genuine and transparent journalism. He has sent a letter to the Editor of Dainik Jagran on 21.02.2012 requesting him to publish the rejoinder with an apology in their newspaper. The complainant being aggrieved against the said impugned news item, issued a legal notice on 26.03.2012 through its General Secretary to tender unconditional apology with the admission of their false and concocted reporting at the same space in their newspaper within a stipulated period after the receipt of the said legal notice but no response has been received.

#### Report of the Inquiry Committee

Following two adjournments of 16.7.2013 and 22.8.2013 where respondent sought time to file written statement, the matter again came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. Shri Bahar V. Barqi, Advocate, Shri A. Mohamed Yusuff, Advocate, Shri K.P. Mohamad Shareef, Advocate and Shri Maroof Ahamed, Advocate appeared for the complainant whereas there was no appearance on behalf of the respondent.

The Inquiry Committee heard the Counsels of the complainant. It noted that there was no appearance from the respondent although notice has been served nor had any written reply been filed. The grievance of the complainant is that PFI has been described by the respondent newspaper as terrorist organization which it is not. Hence, the Inquiry Committee directed the respondent to publish the statement of the complainant expeditiously and report it to the Council. With the above direction, it decided to dispose off the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decides to dispose off the matter.

SI No. 82

F.No. 14/129/10-11-PCI

Shri Ajit Kumar,  
Convenor, Farmer Labour Development V.  
Forum, Patna, Bihar

The editor,  
Hindustan, Patna  
Bihar

### **ADJUDICATION**

This complaint dated 22.5.2010 was filed by Shri Ajit Kumar, Convenor, Farmer Labour Development Forum, Patna, Bihar against the editor, Hindustan, Patna for publication of false and baseless news item under the caption “***Paise ke aabhav mein nahi ho paa raha ilaaz***” in its issue dated 21.1.2010. It was stated in the impugned news item that an eleven year old girl named Saroj Kumari who lives in Saidpur of Ghosi Prakhhand was not able to get the treatment due to lack of money. It was also stated that as per the mother of Saroj, the Development Officer of Prakhhand had promised to provide monetary help in front of several people which was never provided. It was further alleged that even the PMCH Administration did not provide the medicines to them rather they got some help from an NGO. Further an application for help for the treatment of Saroj was given in the Chief Minister’s Secretariat on 14.1.2010 but in vain. The complainant while denying the allegations levelled in the impugned news item stated that as the medicines were not available in PMCH at that time, he had provided all the desired stuff by purchasing it. He also denied the fact that some NGO’s helped in the matter as it was completely false. The complainant also sent a letter dated 22.5.2010 to the editor of the newspaper regarding this but received no response.

#### **Written Statement**

The Company Secretary of Hindustan Media Venture Ltd., on behalf of the respondent vide its reply dated 4.9.2010 while denying the allegations leveled has stated that the complainant has completely failed in specifying in what manner the publication of the matter is objectionable and/or in violation of journalistic ethics or amounted to professional misconduct. He also stated that the said article is related to a child Saroj Kumari, resident of Ghosi who was admitted to the PMCH due to burns where she was not under proper treatment due to scarcity of money. It was stated by the child that some non-government organization are helping her but could not spell out the name and the identity of the NGO. Her mother also stated that on 14.1.2010 an application has been made for the

treatment of her daughter. He further stated that after the publication of the news article, Shri Ajit Kumar, Convener of “KISAAN MAZDOOR VIKAS SANGH” approached the office of their newspaper and stated that as his organization had worked and helped a lot for the child and had applied for the financial assistance also to the Chief Minister’s Office so some coverage should be given to him in the newspaper.

#### Report of the Inquiry Committee

Following one adjournment of August 2013, the matter again came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. Shri Ajit Kumar, the complainant appeared in person. Shri Arun Pathak, Attorney Holder, Hindustan appeared for the respondent.

The Inquiry Committee heard the both the parties and found no merit in the petition. It therefore, decided to dismiss the case.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the petition.

Sl No. 82

F.No. 14/129/10-11-PCI

Shri Ajit Kumar,  
Convener, Farmer Labour Development  
Forum, Patna, Bihar

The editor,  
Hindustan, Patna  
Bihar

### **ADJUDICATION**

This complaint dated 22.5.2010 was filed by Shri Ajit Kumar, Convener, Farmer Labour Development Forum, Patna, Bihar against the editor, Hindustan, Patna for publication of false and baseless news item under the caption “***Paise ke aabhav mein nahi ho paa raha ilaaz***” in its issue dated 21.1.2010. It was stated in the impugned news item that an eleven year old girl named Saroj Kumari who lives in Saidpur of Ghosi Prakhhand was not able to get the treatment due to lack of money. It was also stated that as per the mother of Saroj, the Development Officer of Prakhhand had promised to provide monetary help in front of several people which was never provided. It was further alleged that even the PMCH Administration did not provide the medicines to them rather they got some help from an NGO. Further an application for help for the treatment of Saroj was given in the Chief Minister’s Secretariat on 14.1.2010 but in vain. The complainant while denying the allegations levelled in the impugned news item stated that as the medicines were not available in PMCH at that time, he had provided all the desired stuff by purchasing it. He also denied the fact that some NGO’s helped in the matter as it was completely false. The complainant also sent a letter dated 22.5.2010 to the editor of the newspaper regarding this but received no response.

#### Written Statement

The Company Secretary of Hindustan Media Venture Ltd., on behalf of the respondent vide its reply dated 4.9.2010 while denying the allegations leveled has stated that the complainant has completely failed in specifying in what manner the publication of the matter is objectionable and/or in violation of journalistic ethics or amounted to

professional misconduct. He also stated that the said article is related to a child Saroj Kumari, resident of Ghosi who was admitted to the PMCH due to burns where she was not under proper treatment due to scarcity of money. It was stated by the child that some non-government organization are helping her but could not spell out the name and the identity of the NGO. Her mother also stated that on 14.1.2010 an application has been made for the treatment of her daughter. He further stated that after the publication of the news article, Shri Ajit Kumar, Convener of “KISAAN MAZDOOR VIKAS SANGH” approached the office of their newspaper and stated that as his organization had worked and helped a lot for the child and had applied for the financial assistant also to the Chief Minister’s Office so some coverage should be given to him in the newspaper.

#### Report of the Inquiry Committee

Following one adjournment of August 2013, the matter again came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. Shri Ajit Kumar, the complainant appeared in person. Shri Arun Pathak, Attorney Holder, Hindustan appeared for the respondent.

The Inquiry Committee heard the both the parties and found no merit in the petition. It therefore, decided to dismiss the case.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the petition.

Sl No. 83

Secretary,  
Jharkhand Academic Council,  
Ranchi.

vs

F.No. 14/274/11-12-PCI

The Editor,  
Hindustan,  
Ranchi.

### **ADJUDICATION**

This complaint dated 6.9.2011 has been filed by the Secretary, Jharkhand Academic Council (JAC), Ranchi, Jharkhand against Hindustan for publication of allegedly a series of false and defamatory news items without verifying the facts. Charges of bungling in selection of Smt. Laxmi Singh as a Chairman of Jharkhand Academic Council and drawing higher salary by her have been levelled in the impugned news items. It has been alleged

that the stated government passed order for investigation against her the matter. It has also been alleged in the impugned news item that the JAC deliberately declared poor results of Inter examination and thereby affected the future of the students. Further, due to non-registration of the admission by the JAC for class-XI, the future of the students going down. It has further been reported that the students started strong protests against JAC for its misdeeds.

Denying the allegations levelled in the impugned news items, the complainant has alleged that the impugned news items are not based on facts and the same have not been verified from any officer of JAC. The complainant has further alleged that the impugned news items caused immense harm to the reputation of the JAC. According to the complainant, as per the norms of the Council, it was expected that the version of the JAC should have also been published along with the news reports referred by him. The complainant has alleged that the impugned news items levelled personal defamatory allegations against the present Chairman of the JAC (Mrs. Laxmi Singh, retired IAS and former Chief Secretary of Government of Jharkhand) without verifying the facts regarding the payment of her salary and taking the version of the Chairman. The complainant has further alleged that the News Reporter of the respondent-newspaper has been with malafide intention tarnishing the image of JAC, its chairman and other officers of the Council on some ulterior considerations. The complainant has alleged that the respondent newspaper is regularly trying to tarnish the image of the Council, which is highly objectionable. The complainant has stated that the attention of the respondent was drawn through advocate on 26.7.2011 but received no reply.

#### Written Statement

The respondent editor, Hindustan, Ranchi in his written statement dated 14.12.2011 has denied the allegations levelled by the complainant and stated that he had published the impugned news items based on the statement given by the students, Education Minister and other political leaders and the object of news item published was focused on the students and the results published by the Commission in which gross irregularities were committed. The respondent stated that the letter of some students organizations and the regular and frequent telephonic calls form the basis of the publication of impugned news items. The respondent further submitted that they have no intentions to tarnish the image of Jharkhand Academic Council, its chairperson and others. He has submitted that the statements of Chief Minister, present education minister and former education minister of Jharkhand were also published. The respondent stated that the incident has also been reported by other newspapers including Prabhat Khabar, Dainik Jagran and Dainik Bhaskar. He denied that the news articles were published on 14.7.2011 and 15.7.2011 are related to personal allegations against the Chairperson of the JAC. The respondent further stated that the materials published by them are based on authentic information and reliable sources and very much within the ambit of standards of journalistic ethic and also of public taste. The respondent further submitted they have never tried to tarnish the image of the Jharkhand Academic Council and ever received any letter dated 26.7.2011 through advocate Shri Rajesh Kumar.

### Rejoinder

The complainant vide his rejoinder dated 14.2.2012 submitted that the written statement filed by the respondent is totally false. The complainant submitted that publication of impugned news articles was neither true nor based on facts and also it was not in public interest or in the interest of the education fraternity. The news items were published only to defame and malign the image of the Jharkhand Academic Council. The complainant further submitted that the statements made in the written statement regarding correct and authentic news is also incorrect as they have never received any complaint regarding mass irregularities and malpractice committed by the academic Council. He further submitted that if the newspaper received any complaint it should have been brought to the notice of the Jharkhand Academic Council, which has not been done by the respondent and published one sided story.

The complainant vide letter dated 5.5.2012 brought to the Council's notice that the respondent has again published a wrong and misleading news report in its issue dated 24.2.2012 under the caption "Chandwa mein matric vigyan kaa prashan patra out". He further stated that this news item is completely false and far from the truth as this is being verified by the Deputy Commissioner/District Magistrate, Latehar vide his letter no. 146/25.2.2012. He alleged that even during the pendency of the present complaint, the respondent is continuously violating the norms laid down by the Council and offended the journalistic ethic and also harmed the reputation of Jharkhand Academic Council and published the false news item without obtaining any views/comments from the Jharkhand Academic Council.

### Report of the Inquiry Committee

Following one adjournment of 23.8.2013, the matter again came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. Shri Manoj Kumar Sharma, Advocate and Shri Eugene Minz, Additional Secretary, Jharkhand Academic Council appeared for the complainant. Shri Arun Pathak, Attorney Holder appeared for the respondent

The Inquiry Committee heard the both the parties. It was informed that the matter had been amicably settled between them and the complainant wanted to withdraw the complaint. Accordingly, it decided to dispose off the matter as settled.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dispose off the complaint as settled.

SI No. 84

F.No. 14/396/11-12-PCI

Shri H C Pradhan  
General Manager (Admn. & Corp. Communication)  
National Aluminium Company Ltd (NALCO)  
Bhubaneswar

Editor  
V. Daily News & Analysis  
Mumbai.

### **ADJUDICATION**

This complaint dated 2.12.2011 has been filed by Shri H. C Pradhan, General Manager (Admn. & Corp. Communication), National Aluminium Company Ltd. (NALCO), Bhubaneswar against the Editor, 'Daily News & Analysis' (DNA), Mumbai alleging publication of defamatory news item in its issues dated 12<sup>th</sup> & 13<sup>th</sup> November, 2011 under the caption "CBI chases top officials from Mining Ministry, entire Nalco Board" & "Top Mining officials set up illegal NGO to siphon money". It has been reported in the article that there is irregularity in awarding Rs. 200 crore contract for slurry ash to a little known party. The respondent DNA has also alleged that NALCO funds were sanctioned to an organization called C-TEMPO when the confirmation of the then CMD, NALCO Shri A. K. Srivastava was still awaited, creating a fiction of connection between the payment and the confirmation.

In response to the above allegations published in the newspaper, the complainant submitted a rejoinder to DNA, which was published on 18/11/2011 but in an incomplete and summary fashion, editing out the relevant points of the clarifications with a comment by DNA saying that 'we stand by our stories'. The complainant has submitted that DNA has carried these reports out of malice and with the intention of harming the reputation of NALCO. He further submitted that newspaper has carried these wrong and damaging stories without due diligence, and offended all usual standards of journalistic ethics and professional conduct.

### **Written Statement**

The respondent editor vide his written statement dated 12.1.2012 while denying all the allegations levelled by the complainant stated that the articles published in newspaper were not defamatory in nature. He has submitted that the Central Bureau of Investigation conducted a preliminary enquiry into the case which was reported in the newspaper. The reports were published in public interest and to expose corruption in

higher echelons of the Government. The complainant deliberately attempted to mislead the Press Council alleged the respondent.

#### Counter Comments

The complainant in his counter comments dated 12.8.2012 has submitted that the response filed by the respondent is wrong, misleading and aggravate the original complaint. He alleged that their mode of functioning is below the standards of journalistic ethics and requested for appropriate action.

#### Report of the Inquiry Committee

Following one adjournment of 23.8.2013, the matter came up for hearing before the Inquiry Committee on 28.10.2013 at New Delhi. There was no appearance from either side.

The Inquiry Committee noted that the absence of parties and decided to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the case for default in appearance.

SI No. 85

Shri Badal Chatterjee,  
Special Secretary (Agriculture),  
U.P. Administration, A.P.C. Branch,  
Lucknow, U.P.  
(Presently Information Director,  
U.P., Lucknow)

vs

F.No. 14/112/12-13-PCI

The Editor,  
Nishpaksh Pratidin,  
U.P.

## **ADJUDICATION**

This complaint dated 3.5.2012 has been filed by Shri Badal Chatterjee, Special Secretary (Agriculture), U.P. Administration, A.P.C. Branch, Lucknow, U.P. against the Editor, Nishpaksh Pratidin, U.P. for publication of series of defamatory, baseless and misleading news items during his tenure as Director, I&PRD which are as follows:

<b>Sl.No.</b>	<b>Caption</b>	<b>Date</b>
1.	<i>Bhrasht afsaron ko bhi malaidaar tainaat ki aas</i>	13.3.2012
2.	<i>Maya ke fund kalectro par kab kasega sikanza</i>	16.3.2012
3.	<i>Chatterjee par chalegi Mukhyamantri ki talwaar</i>	26.3.2012
4.	<i>Muslim patrkaaro ke khilaaf daagi soochna nideshak kaa shadyant</i>	28.3.2012
5.	<i>Daagi soochna nideshak ki jaanch mukhya sachiv ko</i>	29.3.2012

It was alleged in the impugned news items dated 13.3.2012, 16.3.2012 and 26.3.2012 that the complainant being a corrupt officer published around 50 crore books which showed only the good works done by Mayawati in order to get plum posting. It was further alleged that the complainant misused crores of rupees of the Information Department in BSP election campaign. In the news items dated 28.3.2012 and 29.3.2012, it was alleged that the Information Director, Shri Badal Chatterjee who is involved in crores of rupees scam is now conspiring to damage the standing respectable Muslim Journalists before the new government. It was further alleged that Shri Badal Chatterjee termed a renowned journalist, who worked in the field of journalism for around 34 years, as an ISI agent.

The complainant while denying the allegations levelled in the impugned news item stated that the respondent is indulging in yellow journalism and published defamatory news articles which maligned his image in the society. Regarding the allegation of the publication of books, the complainant clarified that the books were published after getting the order from the government and according to all the rules. No rules were violated in this and no such proceeding was there which was not informed to the higher officials. He further stated that regarding the election campaign of the government, all important press notes were released by the Chief Minister Information Office and also uploaded on the website of Information Department. The complainant further clarified that he had no role in terming the journalist as ISI agent. He had sent an undated letter to the respondent requesting him to publish his version, but the respondent vide letter dated 17.4.2012 refused to publish it.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. Shri Badal Chatterjee, the complainant appeared in person whereas there was no appearance on behalf of the respondent.

The Inquiry Committee heard the petitioner and noted that no one appeared for the respondent although notice has been served and also no written statement was filed by it. It observed that allegations in the complaint remain un-rebutted and thus held to be

correct. The defamatory allegations against the petitioner are claimed to be a akin to the yellow journalism and published to malign his image. Since the allegations are un-rebutted, the Inquiry Committee recommended to the Council to allow the complaint and to **Censure and admonish** the respondent newspaper. The respondent should publish this order in the newspaper within a month of its receipt. Copy of this order may also be sent to DAVP and to RNI for appropriate action.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to Censure and admonish the respondent newspaper with direction to publish the adjudication. A copy of the order be sent to RNI, DAVP and Government of U.P. for the action as they deemed fit in the matter.

SI No. 86

Dr. Kamleshwar Agrawal  
Raipur  
Chattisgarh

V.

F.No. 14/375/12-13-PCI

The Editor  
Jagat Vision  
Bhopal

**ADJUDICATION**

This complaint dated 6.8.2012 has been filed by Dr. Kamleshwar Agrawal, Raipur, Chattisgarh against Jagat Vision, Hindi Monthly Magazine for publication of allegedly defamatory and derogatory news-items in its issue of June 2011. The captions of the impugned news-items are as follows:

1. 'Dr. Kamleshwar Ne Kaudiyo Me Hathiyai Pachas Karod Ki Zamin'.(front page).
2. 'Sashan-Prashasan Se Santh-Ganth Kar Niyamo Ko Bataya Dhata Apne Sathi Chikitsak Ko Bhi Rato-Rat Karaya Malamal'. (page 8)
3. 'Bal Sakha Ko Bhi Thanga Kamleshwar Ne'. (page 9)
4. 'Dr. Kamleshwar Agarwal, Manav Ya Danaw'.(page 11)
5. 'Dr. Kamleshwar Agarwal, Ke Anya Sathi Dr. Sunil Khema Ka Devendra Nagar Isthit Derh Acre Ki Jamin Par Bana Shri Narayana Aspatal'. (page 12)

It has been alleged in the impugned news items that Dr. Kamleshwar Agarwal grabbed land of crores of rupees on nominal price in Raipur in connivance with the administration. The respondent is alleged to have levelled fictitious allegations with photograph of Dr. Raman Singh without going in to the authenticity of the same. Further, it is alleged that the complainant indulged in cheating the government of crores of rupees. According to the impugned news-item, the complainant has a hospital, the lease of which has expired but nobody challenged. The complainant is alleged to be involved in many corruption cases but due to influential high contacts no action is taken against him.

Denying the allegations levelled in the impugned news item, the complainant alleged that the impugned news items are false, defamatory and malicious with a sheer of bundle of lies and concoction. The complainant vide his letter dated 26.6.2012 requested the editor to publish a rejoinder but received no response.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. The Inquiry Committee noted that there was no appearance from either side and decided to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the case for default.

Sl. No. 87

F.No. 14/50/12-13-PCI

Shri Girja Shanker Jaiswal  
Varanasi  
Uttar Pradesh

V.

The Editor  
Jagran  
Varanasi

### **ADJUDICATION**

This complaint dated 8.6.2012 has been filed by Shri Girja Shanker Jaiswal, Varanasi, Uttar Pradesh against Dainik Jagran for publication of false and defamatory news-item in its issue dated 14.6.2011 under the caption “**Chowki Prabhari Bari, Sakshya Nahi De Saka Anti Corruption Bureau**”. It has been alleged in the impugned news-item that during the hearing, the Senior Advocate alleged that the complainant is habitual of filing forged cases against the Government employees and after getting the money, he modifies his statement. It has also been alleged in the impugned news-item that 5-6 cases are pending against the complainant. After hearing, the Hon’ble Court decided all these cases with observation that nobody can be punished on verbal evidence.

Denying the allegations levelled in the impugned news-item, the complainant stated that the impugned news-item is false and defamatory and published with a view to tarnish his image. The impugned news-item has been published without any evidence by violating norms of journalistic ethics. The entire news-item is clearly untrue and incorrect which has affected his fair name and status alleged the complainant and sent letters dated 30.12.2011 and 20.7.2012, to draw the attention of the Editor, Dainik Jagran to publish contradiction but received no response.

#### **Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. There was no appearance on behalf of the complainant. Shri B.K. Mishra, Counsel appeared for the respondent.

The Inquiry Committee was informed by the Counsel of the respondent that the matter was settled and the complainant does not want to pursue his complaint any further. It therefore decided to dismiss the complaint as settled.

#### **Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dismiss the complaint for being settled.

SI No. 88

Shri Sandeep Kumar Verma,  
Head TTI, Northern Railway,  
Haridwar, Uttrakhand

V.

F.No. 14/221/12-13-PCI

The Editor,  
Dainik Jagran,  
Dehradun

### **ADJUDICATION**

This complaint has been filed by Sandeep Kumar Verma, Head T.T.I., Northern Railway, Haridwar against the editor, Dainik Jagran for publication of the false and baseless news item under the caption “**Patni ne ki T.T.I. pati ki pitai**” in its issue dated 16.04.2012. It was alleged in the impugned news item that the TTI of Northern Railway was found in the retiring room of the station with his colleague in compromising position. It was further stated that the wife of the TTI began beating him up on the station on seeing him with the lady colleague.

The complainant stated that the news item published is completely false and baseless and it was being published just to take revenge from the complainant. The complainant stated that on 15.09.2010, the complainant caught a person without ticket and fined him u/s 179/137 and sent him to jail from where the said person was released after paying the fine. He submitted that the said person was actually the brother of the press photographer of Amar Ujala named as Sandeep Kumar and the reporter being annoyed with this, caused publication of this news item against him which damaged his reputation. He further stated that the news item is completely false and baseless as the incident mentioned in the impugned news item was never happened according the complainant. He has sent a notice to the editor of Dainik Jagran on 20.04.2012 but received no response.

### **Written Statement**

The respondent vide letter dated 4.9.2012 submitted his comments and stated that he had published the contradiction under the caption “*Retiring room mein nahi thee koi mahila TT*” in its issue dated 26.8.2012. He further stated that other newspapers have published this news item with the photographs but they never published the photograph. He added that the complainant has criminal background as one FIR was also registered against him by his colleague, Mrs. Vandana Kalra, Head TTE, Haridwar on 21.10.2012 for misbehaving with her on 18.10.2010. The complainant also has revealed other cases registered against him.

The complainant vide undated letter received in the Secretariat of the Council on 12.9.2012 expressed his dissatisfaction and stated that the respondent published many impugned news items against him but he published only one rejoinder.

### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. Shri Sandeep Kumar Verma, the complainant appeared in person. Shri B.K. Mishra, Counsel appeared for the respondent.

The Inquiry Committee heard both the parties. It noted that the respondent had published the version of the complainant even before the issuance of Show Cause Notice. The Inquiry Committee therefore not inclined to allow the complaint in view of amends made in pursuance of journalistic ethics and decided to dismiss the complaint.

### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decide dismiss the complaint.

Sl No. 89

Shri Sandeep Kumar Verma,  
Head TTI, Northern Railway,  
Haridwar, Uttrakhand

V.

F.No. 14/216/12-13-PCI

The Editor,  
Hindustan,  
Dehradun

### **ADJUDICATION**

This complaint has been filed by Sandeep Kumar Verma, Head T.T.I., Northern Railway, Haridwar against the editor, Hindustan for publication of the false and baseless news item under the caption "***Pati aur wo ki zamkar pitai***" in its issued dated 16.04.2012. It was alleged in the impugned news item that the TTI of Northern Railway was found in the Retiring room of the Station with his colleague in compromising position. It was further stated that the wife and her brother began beating him up on the station after finding him with the lady colleague. The lady registered a complaint in the GRP Station as she felt insecure from her husband and the lady colleague.

The complainant stated that the news item is completely false and baseless and was being published just to take revenge from the complainant. The complainant stated that on 15.09.2010, the complainant caught a person without ticket and fined him u/s 179/137 and sent him to jail from where the said person was released after submitting the fine. He submitted that the said person was actually the brother of the press photographer of Amar Ujala named Sandeep Kumar and the reporter being annoyed with this, caused publication of the news item against him which damaged his reputation. He further stated that the news item is completely false and baseless as the incident mentioned in the impugned news item has never happened according to the complainant. He sent a notice to the editor of Hindustan on 20.04.2012 but received no response.

#### Written Statement

The respondent vide letter dated 20.9.2012 submitted his written statement and stated that the complaint is false, baseless and frivolous. He submitted that the news was published by them bonafide with due and adequate verification of the facts contained in the news item and that they hold no malice against the complainant.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. Shri Sandeep Kumar Verma, the complainant appeared in person. Shri Arun Pathak, Constituted Attorney appeared for the respondent.

The Inquiry Committee heard both the parties. It noted the respondent's additional submission that the complainant's name was not mentioned in the impugned news item. The Inquiry Committee thus found no merit in the case and decided to dismiss the complaint.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepted reasons and adopted the report of the Committee and decided to dismiss the complaint.

Sl No. 90

F.No. 14/176/12-13-PCI

Mother Dairy Fruit & Vegetable Pvt. Ltd.,  
Through its General Manager (Legal) & CS,  
Noida, UP

vs

Mr. Aditya Sinha,  
Editor-in-Chief  
DNA, Mumbai

Mr. R.N. Bhaskar,  
Consulting Editor,  
DNA, Mumbai

### **ADJUDICATION**

This complaint dated 25.05.2012 has been filed by Mother Dairy Fruit & Vegetable Pvt. Ltd., through its General Manager (Legal) & CS, NDDDB House, A-3, Sector-1, Noida, UP against Mr. Aditya Sinha, Editor-in-Chief and Mr. R.N. Bhaskar, Consulting Editor, DNA, Diligent Media Corporation Ltd. for publication of false and baseless news item under the caption "***Milkmen in north cry, Mother Dairy laughs all the way to Bank***" in its issue dated 26.03.2012. The complainant stated that the said article contained the misrepresentation of the facts and he was portrayed as working against the interest of the farmers. The content was false and/or malicious with the intent to cause damage to his goodwill, reputation and image. He further stated that the respondent vide e-mail dated 24.03.2012 had tried to sought certain information from him and it was appropriately responded by the General Manager of the complainant to the respondent. Despite of providing correct facts and the circumstances pointed out, the respondent published a false and baseless article. The complainant sent a letter to the respondent Editor on 16.04.2012 requesting him to take corrective measures at their end by publishing a corrigendum or by any other method so as to correct the misconception caused by the said article thereby conveying the correct perspective to the public at large but no action was taken by him. Being aggrieved, the complainant further issued a legal notice on 07.05.2012 to the respondent thereby calling upon them to take corrective measures at their end. The respondent vide letter dated 11.05.2012, sought time from the complainant to reply to the said legal notice. The respondent vide letter dated 22.05.2012, replied to the legal notice, wherein he admitted the receipt of the letter dated 16.04.2012 issued by the complainant and stated that the said news item was published based on the true and correct documents which are in possession of the respondent and received from the reliable sources, and without malice towards the complainant. The complainant stated that the conduct of the respondent not only amounted to gross professional misconduct on their part but also amounted to

misuse of their position as journalists with ulterior motives for the benefits of rivals of the Complainant.

#### Written Statement

The respondent through his advocate letter dated 24.12.2012 has submitted his written statement and stated that the complaint is totally false and incorrect. He further stated that the article published in the newspaper on 26.3.2012 regarding the complainant is based on reliable information collected by him and the said article does not misrepresent any fact. He has submitted that the article has been published in public interest and not out of any malicious intent to cause damage to the goodwill, reputation or image of the complainant. He further submitted that the crux of the article is that in the first three months of the year 2012, the procurement price of milk had plummeted and Mother Dairy paid lower procurement prices to the farmers without lowering the retail price for customers and had thus made additional monthly profits in the said month to the tune of Rs. 72 to 117 crores, especially when compared to Gujarat Co-operative Milk Marketing Federation (GCMMF). He has submitted that Mother Dairy is a subsidiary of National Dairy Development Board (NDDB) and the news item was completely published in public interest.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. Shri Sunil Murarka, Advocate appeared for the complainant. S/Shri Vikram Mehta, Advocate, Kunal Endait, Anshuman Srivastava appeared for the respondent.

The Inquiry Committee heard both the parties. The respondent contended that they have already carried the version of the complainant in the impugned report. The complainant is not satisfied with it as the impugned report did not carried forth with its charges and the facts and figures even subsequently provided by the Mother Dairy was not considered to carry a contradiction, this adversely impacting their image before the public. The Inquiry Committee noted that the Mother Dairy enjoyed a right to place its version before the public and the journalistic ethics required the respondent to allow them this right. With these observations, it directed the respondent to publish the version of the complainant in detail under intimation to the Council.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided to dispose off the complaint.

Sl No. 91

Shri S. Sharma,  
District Mandi,

V.

F.No. 14/339/12-13-PCI

Shri S. Baljinder Singh,  
Editor, Ajit Samachar

Himachal Pradesh

Shri Rakesh Sangrain,  
Reporter, Ajit Samachar

### **ADJUDICATION**

This complaint 30.8.2012 has been filed by Shri Sohan Lal Sharma against the Reporter, Shri Rakesh Sangrain and the Editor, Shri S. Baljinder Singh of Ajeet Samachar for publication of the name of his daughter, a rape victim. The complainant has stated that a news item was published on 17.5.2012 in Ajeet Samachar under the heading “***Shaadi ka Jhansa Dene Wale Yuvak Ko Police Ne Kiya Girافتar***” intentionally, deliberately and with the motive to tarnish the image of her daughter in general public. The complainant further alleged that the news item not only disclosed the identity of the rape victim but also defamed her who is under extreme depression after this news item was published. The complainant served a notice dated 20.6.2012 to the reporter of Ajeet Samachar and also a copy of this notice sent to the Editor of the newspaper but none of the respondent have replied. The complainant requested the Council to take strict action against the respondents and demanded for the compensation of Rs. 10,00,000 for the illegal act committed by the respondent.

#### Written Statement

The respondent editor, Ajeet Samachar vide letter dated 29.10.2012 has stated that the editor of Ajeet Samachar is Mr. Rajinder Singh and not Mr. S. Baljinder Singh as mentioned by the complainant. He has further stated that the matter was thoroughly examined by the officials and the press reporter, Shri Rakesh Sangrain was condemned for his act and he also apologized for the same. He also stated that Shri Rakesh Sangrain was warned not to repeat the same in future at any point of time.

The complainant vide letter dated 25.2.2013 has stated that the respondent in his reply accepted that the respondent has committed the mistake and also tendered apology. He has stated that the respondent has committed a crime.

#### Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 29.10.2013 at New Delhi. There was no appearance on behalf of the complainant. Shri Rakesh Sangrain, Correspondent and Shri Subhash C. Sharma, Photo Journalist appeared for the respondent.

The Inquiry Committee noted that since there was no appearance from the complainant’s side and the respondent has already accepted their mistake and apologized, it thus decided to dismiss the case for default.

#### Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons and adopts the report of the Committee and decided

to dismiss the case for default. The Council also decided that since the adjudication also revealed the identity of the father of the rape victim, its copy may be supplied only to the parties and may not be put up on the website of the Press Council of India or given out for publication.