

## **Press Council of India**

Item no. 5

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### **Complaints against the Press**

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24. Dr. B.L. Yadav, Teacher, Shikhsha Mahavidyalya, Gwalior- 474002 against the Editor, D Pulkit today Saptahik AUR Surbhi Bharat, Birla Nagar Gwalior , M.P (14/398-399/17-18).
25. Dr. Rajesh Sharma, Director, NarmadaTrama Center, M.P. against the Editor, Pradesh Today, Bhopal, M.P (14/516/17-18).
26. Shri P. Kumar, General Secretary, VUMU (CITU), NH-3/B-210, Post-Vindhyanagar, District-Singrauli (M.P), PIN- 486885 against the Editor, Bhaskar Prakashan Pvt. Ltd., Tomar Complex, Near Bus Stand, Kotwali Road, Baidhan, Distt.-Singrauli, Madhya Pradesh (14/433/17-18)
27. Smt. Seema Chauhan, President, Matra Shakti Sangathan, Near Reliance Tower, Barapathar, Siwani, Madhya Pradesh against the Editor, Hindi Gazette, 4, Smrati

Dharamshala Complex, In front of Hospital, Barapathar, Siwani, 480 881 (14/556/15-16).

28. Dr. Pratap Agarwal, Chattisgarh against the Editors- Patrika , Dainik Bhaskar, Hindsat, Hari Bhoomi and Pioneer (14/69-74/17-18).
29. Shri Dinesh Dubey, Manager, Shah Rajya Pariyojna, Bhopal against the editor,Dainik Bhaskar,M.P.(14/178/17-18)
30. Shri L.M. Belwal, Chief Executive Officer, Bhopal, M.P against the Editor, Dainik Bhaskar, Bhopal, M.P (14/204/17-18).
- 30 (A)Shri M. K. Chaudhary, Madhya Pradesh State Automobile Association, 53, Hamidiya Road, Bhopal, Madhya Pradesh against the Editor, Pradesh Today, Plot No. 5, Press Complex Zone-1, MP Nagar, Bhopal-11 (14/371/17-18).
- 30 (B)Shri Surender Kumar Jain, LIC Colony, Harada, Tehsil-Harda, Distt.-Harda, Madhya Pradesh against the Editors, Dainik Jagran, 33, Jagran Bhawan, Press Complex, Maharana Pratap Nagar, Bhopal-462 011, Madhya Pradesh (14/328/16-17).

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- 31 Shri Birjesh Kr Upadhya, S/o Laxmi Naryan Upadhya, Firozbad, U.P against the Editors, Next Future, Agra, Uttar Pradesh (14/255/17-18).
- 32 Shri Anand Dev Singh, Deputy Director, Prasar Bharti, Varanarshi U.P against the Editors, Dainik Jagaran, Amar Ujjala, Hindustan and Jan Sandesh Times (14/114-117/17-18).
- 33 Shri Naim Ahmed Associate Professor, Department of Community Medicine & Public Health, King George's Medical University Lucknow against the Editor, Daily News Activist, Lucknow (14/345/17-18).
- 34 Shri Naim Ahmed Associate Professor, Department of Community Medicine & Public Health, King George's Medical University Lucknow against the Editor Dainik Jagran Limited, Meera Bai Marg, Lucknow. (14/347/17-18)
- 35 Shri Naim Ahmed Associate Professor, Department of Community Medicine & Public Health, King George's Medical University Lucknow against the Editor, Nav Bharat Times, Hindi Newspaper, 16, Rana Pratap Marg, Lucknow-226001. (14/349/17-18).
- 36 Shri Naim Ahmed Associate Professor, Department of Community Medicine & Public Health, King George's Medical University Lucknow against the Editor, Rastriya Sahara, Hindi Newspaper, Lucknow (14/350/17-18)
- 37 Shri Naim Ahmed Associate Professor, Department of Community Medicine & Public Health, King George's Medical University Lucknow against the Editor, Amar Ujala,

Publication Limited, B-5, Amausi Industries Area, Kanpur Road, Lucknow (14/348/17-18)

- 38 Shri Naim Ahmed Associate Professor, Department of Community Medicine & Public Health, King George's Medical University Lucknow against the Editor, Dainik Jagran, Inext Hindi Newspaper, Meera Bai Marg, Lucknow (14/351/17-18)
- 39 Shri Naim Ahmed Associate Professor, Department of Community Medicine & Public Health, King George's Medical University Lucknow against the Editor, Hindustan, Lucknow (14/346/17-18).
- 40 Shri Sunil Kumar Yadav, Tee-4/5, Havelek Line, Dilkusha, Lucknow, Uttar Pradesh against Amar Ujala, Uttar Pradesh (14/402/17-18)
- 41 Smt. Latesh Rani, W/o Shri Avninder, 37 M.E.S Colony, Izzat Nagar, Bareli, Uttar Pradesh against Amar Ujala , Bareli, Uttar Pradesh (14/397/17-18).
- 42 Shri Aarif Saklain, Managing Director, Lucknow City Transport Services Ltd., , Lucknow, Uttar Pradesh against the Editor, Swatantra Bharat, Lucknow, Uttar Pradesh. (14/400/17-18)
- 43 Shri Sanjay Gupta S/o Shri Harishankar Gupta, Shahjahanpur, Uttar Pradesh, against the Editor, Hindustan, Hindustan Media Venture Limited, Bareli, Uttar Pradesh (14/403/17-18)
- 44 Shri Suresh Deepak New Subhash Nagar, , Agra, Uttar Pradesh against the Editor, Amar Ujala Press, Agra, Uttar Pradesh (14/298/17-18)
- 45 Shri Suresh Deepak, Agra, Uttar Pradesh against the Editor, Dainik Jagran, Jagran Building, Kanpur, Uttar Pradesh (14/297/17-18).
- 46 Shri Umesh Kumar Singh, Superintendent of Police, Gonda, Uttar Pradesh against the Editor, Amar Ujala, Publication Limited, Kanpur Road, Lucknow (14/392/17-18)
- 47 Shri Ramveer Singh Parmar, District President, Bhartiya Janta Party, Jannpad-Hathras, Uttar Pradesh against the Editors, Amar Ujala, Hindustan, Uttar Pradesh. (14/497-498/17-18)
- 48 Dr. Satish Kumar, IPS, Janpad, Lucknow, Uttar Pradesh against the Editor, Dainik Jagran, 57 A-3, Meera Bai Marg, Janpad, Lucknow, Uttar Pradesh (14/404/17-18)
- 49 Dr. Ajay Pal, Superintendent of Police, Shamli against the Editor, Dainik Jagran, Sarvodaya Nagar, Kanpur UP (14/448/17-18)
- 50 Shri Narendra Kumar Gupta, District Bijnor, Uttar Pradesh against the Editor, Shah Times, Merrut Road, Muzzafarnagar, Uttar Pradesh (14/517/17-18).

## **PRESS COUNCIL OF INDIA**

Sl. No. 1

F.No. 14/545/16-17/PCI

### **Complainant**

Shri Akhtar Hussian Akhthar,  
Kanpur, Uttar Pradesh.

### **Respondent**

The Editor,  
The Inquilab,  
New Delhi.

### **Adjudication dated 26.9.2018**

This complaint dated 25.2.2017 has been filed by Shri Akhtar Hussian Akhthar, Member, All India Majlis-e-Ittehad-ul Muslimeen, against the Editor the Inquilab, Urdu newspaper New Delhi, alleging publication of false and baseless article about Shri Asaduddin Owaisi, Chairman of AIMIM, in its issue dated 24.2.2017.

The article authored by the National Secretary, Peace Party has stated to have been published prominently on the front page of the paper. As per Hindi translation of impugned news item, provided by the complainant, it is reported that from 1984 to 2004, Shri Asaduddin Owaisi had been with Congress Party and remained silent over the homicide of Sikhs in 1984 and of Muslims in Meerut, in 1987. He also remained silent in the case of Babri Masjid, 1992 or in the case of homicide of muslim, at Maliayana, Hashimpur. Shri Asaduddin Owaisi did not leave Congress during Gujarat riots in 2002.

Impugned article highlighted the concerned Secular parties who had to face defeat in the election of Bombay Municipal Corporation and are worried over result in U.P. Election as opportunities have been ruling the roost.

The complainant has submitted that all the allegations levelled by the respondent editor against Shri Asaduddin Owaisi are false and baseless. He further submitted that Shri Azi Berni, National General Secretary of Peace Party, in order to tarnish the political image of Shri Asaduddin Owaisi, got the memorandum published in the respondent newspaper so as to draw political mileage for his party thereby misguiding the voters. He has further submitted that the respondent editor in connivance of Shri Azi Berni has published about his Party and B.M.C. election without knowing their official version. He has requested the Council to take strict action against the respondent editor.

A Show Cause Notice was served to the respondent editor, the Inquilab dated 26.5.2017.

### **Written Statement**

The respondent editor vide written statement dated 17.3.2018 has informed the Council that the advertisement in question was booked for publication by the Peace Party through its Secretary during the elections. There was absolutely no intention on the part of the respondent newspaper to malign the National President of the AIMIM as alleged in the complaint. He has further submitted that he has published various news items in favour of Mr. Asaduddin Owaisi containing his statements and the news relating to Majlis e ettehad ul Musalmeen. The respondent submitted that the contents of the complaint does not disclose as to what provision of law has been violated by the respondent newspaper. He has further submitted that if the complainant had any grievance with the contents of the advertisement, he could have provided his version to the newspaper. He has requested the Council to dismiss the complaint.

A copy of the Written Statement has been forwarded to the complainant vide Council's letter on 29.5.2018.

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

The matter came up for final hearing before the Inquiry Committee on 25.6.2018 at New Delhi. There was no appearance on behalf of the complainant whereas Shri Birendra Kumar & Smt. Poonam Atey, Advocate represented the respondent newspaper.

Despite service of notice, the complainant has not chosen to appear.

The complainant claims to be citizen of India and member of AIMIM and it is his allegation that the respondent newspaper had published news making false and concocted allegations against his leader. The respondent in his written statement had stated that what has been complained of is not a news item but an advertisement given by the Peace Party through its Secretary. The Inquiry Committee has seen the newspaper and it seems that it is part of an advertisement. In that view of the matter, the Inquiry Committee is not inclined to proceed in the matter any further and dismiss the complaint.

### **Held**

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

## **PRESS COUNCIL OF INDIA**

Sl. No. 2

F.No.14/577/16-17/PCI

### **Complainant**

### **Respondent**

Shri Jagat Singh Sharma  
Haridwar, Uttrakhand.

The Editor,  
Dainik Jagran,  
Noida, Uttar Pradesh.

### **Adjudication dated 26.9.2018**

This complaint dated 29.1.2017 has been filed by Shri Jagat Singh Sharma, Haridwar, Uttrakhand, against the Editor, Dainik Jagran, Noida, Uttar Pradesh alleging publication of false and defamatory report in its issue dated 18.12.2016 under the caption “आई. पी . एस. परभारीरहाहै, दागीदारोगाकारुतबा “.

It is reported in the impugned news item that the complainant, Inspector Jagat Singh, was transferred from Noida after the investigation report of S.S.P. but the complainant went on leave and later joined back in Noida. The complainant was also transferred to Ghaziabad on the direction of Election Commission. Later in 2015, in a case of illegal collection, the complainant was transferred to Saharanpur Range by former S.S.P., Dr. Preetinder Singh but his transfer was cancelled by the D.G.P. office. It is also reported in the newspaper that the complainant ran away with Rs. 20 lakh in a fake income tax raid and Police are making efforts to nab him. Noida Police raided complainant’s Uttrakhand house and also searched him in Ghaziabad city. The Police also raided “Gou Sadan” being operated by the complainant but could not arrest him. It is further reported in the newspaper that the complainant, while deployed with Noida Crime Branch, had been investigating a Fraud case of a company, where, he is alleged to have taken Rs.10 Lakh bribe to sort out the matter.

The complainant has submitted that by publishing such news the respondent editor has tarnished his image in the society. He has further submitted that the allegation of transferring him to Saharanpur Range after the report of former S.S.P., Dr. Preetinder Singh, is baseless. He has submitted that as far as Election Commission related transfer is concerned, it was happened on his request not on the Election Commission’s direction. The complainant submitted that he had never taken Rs.10 Lakh bribe to sort out the matter. He further submitted that the respondent editor has deliberately maligned him as the circulation of respondent paper is 10 lakh copies per day. The complainant submitted that with connivance of a Police officer, the respondent editor has taken out a photo from his service book and published it in the newspaper. The complainant has requested the Council to take strict action against the respondent editor.

A Show Cause Notice was served to the respondent editor, Dainik Jagran, on 25.5.2017.

### **Written Statement**

The respondent Editor, Dainik Jagran vide Written Statement dated 20.4.2018 has informed the Council that the news item was based on the contents of FIR lodged against the complainant Under Section 420 at Police Station Section 20, Noida, U.P. However, as clearly mentioned in the news item itself the complainant was not available and was on run when the news was published, thus his version of story could not be taken along with the

news in question. He has further submitted that after the publication of the impugned news article, the complainant himself approached the Editor of the respondent newspaper and gave his version, the newspaper promptly published the same on 15.3.2017. Thereafter, the complainant was fully satisfied and did not raise question in the matter. Further, he has requested the Council to reject the complaint as it is devoid of merits.

A copy of the Written Statement has been forwarded to the complainant on 11.5.2018 for information.

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

The matter came up for final hearing before the Inquiry Committee on 25.6.2018 at New Delhi followed by an adjournment dated 19.9.2017. There is no appearance on behalf of the complainant. Shri Birendra Kumar Mishra & Smt. Poonam Atey represented the respondent newspaper.

Despite service of Notice, the complainant has not chosen to appear. The respondent is represented by his counsel, Mr. Birendra Kumar Mishra. It is the allegation of the complainant that various false and baseless news have been published by the respondent. It is the plea of the respondent that those news have been published on the basis of the allegations made in the First Information Report. The respondent has also placed on record a Photostat copy of the newspaper dated 15.3.2018, in which the version of the complainant has also been published.

Having perused the complaint, the Written Statement and all other relevant papers, the Inquiry Committee is of the opinion that no further action needs to be taken in the present complaint. The Inquiry Committee accordingly directs for disposal of the complaint.

### **Held**

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

## **Press Council of India**

Sl. No.3

File No. 14/11/17-18-PCI

Smt. Punam Mishra,  
Sitapur, U.P

Vs.

The Editor,  
Hindustan Samacharpatra,  
Lucknow, U.P.

### **Adjudication dated 26.9.2018**

This complaint dated 5.4.2017 has been filed by Smt. Punam Mishra, Sitapur, U.P. against the editor, Hindustan for allegedly publishing false, misleading and defamatory news item under the caption "*sarayan nadi ki dhaar chu rahi doodh dairy*" in its issue dated 1.4.2017 and another news item under the caption "*Dairy sanchalika boli- prashahsan se poochkar nadi se satakar banai deewar*" in its issue dated 2.4.2017.

It is reported in the impugned news item that Khanan Mining Mafia have converted Sarayan river into drain and from last five years, turned the banks of river into a plane ground by levelling it and plotting has also been done there. Khanan Mafia earned huge amount of money from the sand at the river banks. A milk dairy has also been constructed on the river bank. The boundary of dairy has closed the passage of the river bank thereby converting river into drain. The construction material for the dairy has been provided by land mafia. The news item dated 02.04.2017 reported that on the directions of the DM, some pillars of dairy have been demolished and that the dairy belongs to Punam Mishra.

Denying the allegations, the complainant stated that the news items are false, misleading and defamatory in nature. The complainant submitted that the dairy was constructed under Government's Dairy Scheme and there is no role of land mafia in its construction, as reported.

The complainant informed that she is also a member of Central Advisory Committee of Labour and Employment Ministry. She alleged that the respondent has tried to malign her social and political image. The complainant drew the attention of the respondent towards the impugned news items on 5.4.2017 but no response has been filed by the respondent. The complainant has requested the Council to take strict action against the respondent.

### **No Written Statement**

A Show Cause Notice was issued to the respondent on 6.6.2017 but no written statement has been filed so far.

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

The matter came up for final hearing before the Inquiry Committee on 25.6.2018 at New Delhi followed by adjournment dated 19.9.2017. Neither the complainant nor the respondent has chosen to appear.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and the impugned news item and is of the opinion that no action needs to be taken. The Inquiry Committee accordingly directs for disposal of the complaint.

**Held**

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

## **PRESS COUNCIL OF INDIA**

Sl. No. 4

F.No.14/377/16-17-PCI

### **Complainant**

Shri Narendra Nath Veluri, IFS  
Divisional Forest Officer,  
Kerala

### **Respondent**

The Editor,  
Mathrubhoomi,  
Kerala

### **Adjudication dated 26.9.2018**

This complaint dated 19.10.2016 has been filed by Shri Narendra Nath Veluri, Kerala against the editor, Mathrubhoomi for publication of news under the caption "Natural forest cut down in Peria to raise Mahogany plantation" in issue dated 25.7.2016 to create chaos among people and hatred towards the department. It is reported in the impugned news item that there are protest against North Wayanad Forest Division for converting natural forest to monoculture plantation. Mahogany is being planted in 200 acres of Peria Range when there is necessity of raising natural forest but the forest department is raising such monoculture plantation. It is also reported that Mahogany, which is used as a medicinal plant in central America is a threat to natural vegetations. These trees were initially planted for timber requirement. Not allowing regeneration of other trees is the major threat of Mahogany. The regeneration of Mahogany is so high that the plantation raised by forest department will convert the forest into a Mahogany forest.

In the second part of the news item captioned "Defective Policy of Forest Department :Trouble in Thiruneliy Panchayathi" as per translation provided in English, it is reported that due to defective policy of forest department in past 36 years, 77 persons were killed due to man-animal conflict and there is a constant threat of wildlife, day & night. It is further reported that due to Teak & Acacia plantation inside forest, there is scarcity of fodder and water. The wildlife including elephants are entering into human habitations. Due to the Mahogany plantation in Peria, the normal public feels that there will be an increase in Man-Animal conflict causing trouble to travelers travelling towards Kannur. The news item states that locals protested before the Divisional Forest Office to solve this problem and submitted that with the growth of Mahogany the conflict will continue to increase.

Denying the allegation levelled in the impugned news item, the complainant stated that the facts of the case are, 116 hac. of acacia magnum/eucalyptus extracted area in Peria Range had been proposed to be planted with natural, all the seedlings were procured from central Nursery, Kannur. The complainant also submitted that in Government everything moves in files and there are no valuable documents for insight other than Govt. file. The complainant also submitted that the correspondent has neither bothered to contact their office nor actually presented himself in the field, to know what actually happened. The complainant vide letter dated 6.8.2016 drew the attention of the respondent towards the publication of the impugned news items and requested the editor for taking necessary steps and as corrective measure to publish article with exact facts giving prime importance as the article covered previously so that the mistake can be partly rectified. He has requested the Council take action against the respondent.

A Show Cause Notice was issued to the respondent editor, Mathrubhoomi, Kerala on 21.12.2016.

### **Written statement**

The respondent Editor vide undated Written Statement has informed the Council that the English translation of the news provided by the complainant is incomplete and omits a substantial and critical part of the news. He has submitted that the attempt of the complainant is to cover up the cutting of natural trees under the cloud of calling the area as “Eucalyptus extracted area” is misleading and false. The complainant admitted himself in his letter to editor that Mahogany trees have been planted which is invasive and will annihilate the biodiversity of the area. Further, toxicity created by the Mahogany tree will destroy the natural microbes, which are essential for the proper top soil retention. The news article concludes voicing genuine apprehension of the citizens condemned to live in that locality to the inevitable increase of the danger and distress due to the Mahogany plantation. He has further submitted that the two articles don't have any personal reference to the complainant nor have named any official of the department. The complainant, therefore, cannot take umbrage against a comment concerning any policy of the Government.

A copy of the Written Statement was forwarded to the complainant on 23.3.2017 for information/Comments.

### **Counter Comments**

The complainant vide Counter Comments dated 24.4.2017 has informed the Council that the respondent Editor has addressed none of the issues raised by him but tried hard to push other points which are quite irrelevant to the complainant. He has further submitted that Forest Department in all the States conduct timber operations as per working plan and Additional Chief Conservator of Forests gives Order every year for harvesting plantations by allotting the raw material for industry. The Forest Department also directs to take up mixture of plantation considering environmental sensitivity. He has further submitted that the stumps shown in the photographs are of the plantation, and in a plantation, while felling of trees one or two natural trees in between are bound to fall as there is no machinery in India and extraction is done manually. He has submitted that the news article states that monoculture of Mahogany is carried out, whereas in the Written Statement the Editor tries to hide and states that majority of trees are Mahogany. He has further submitted that the publication of news was not done by any news reporter but a “liner” who are paid as per number of photos and length of news item submitted.

A copy of the Counter Comments was forwarded to the respondent Editor on 3.10.2017 for information.

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

The matter came up for final hearing before the Inquiry Committee on 25.6.2018 at New Delhi followed by an adjournment dated 15.3.2017. There was no appearance on behalf of the complainant. Shri B.G. Bhaskar, Advocate and Shri Anil Pratap, Manager, legal represented the respondent.

The complainant has sent a letter praying for adjournment of the case and granting him atleast one month's time to appear before the Inquiry Committee. According to the complainant, he got the notice on 11.6.2018. The Inquiry Committee is of the opinion that he had got sufficient time to appear before the Committee and if he has chosen not to appear, he is to blame himself for that. Not only this, the complainant ought to have informed the respondent also before making any such request. The Counsel for the respondent has travelled a long distance.

Taking into consideration the aforesaid facts, the Inquiry Committee is not inclined to adjourn the matter.

The Inquiry Committee has perused the complaint, the Written Statement and heard Mr. B.G. Bhaskar, for the respondent. The Inquiry Committee is of the opinion that the respondent newspaper has not violated any code of journalistic ethics so as to call for action by the Council. The Council accordingly, recommends for dismissal of the complaint.

**Held**

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

## Press Council of India

Sl. No. 5

F. No. 14/23/17-18-PCI

### Complainant

Shri K.B. Sinha,  
Under Secretary to the Govt. of India,  
Ministry of Ayurveda, Yoga & Naturopathy, Unani,  
Siddha & Homeopathy (AYUSH),  
B-Block, GOPO Complex,  
INA, New Delhi.

### Respondent

Shri Jaideep Bose,  
Executive Editor,  
The Times of India,  
Times House,  
7, Bahadurshah Zafar Marg,  
New Delhi.

### Adjudication dated 26.9.2018

This complaint dated 07.04.2017, addressed to the Executive Editor, The Times of India, New Delhi copy thereof forwarded to the Council has been filed by Shri K.B. Sinha, Under Secretary to the Government of India, Ministry of Ayurveda, Yoga & Naturopathy, Unani, Siddha & Homeopathy (AYUSH), against the news titled “Poison in Ayurvedic Drugs”. According to the complainant, the title of the news is “generalised, derogatory and alarming” which is misleading and denounces the credibility of AYUSH and Ayurvedic drugs. The said article was published in the Times of India, Ahmedabad edition on 31.03.2017. The report states that Ayurvedic medicines, if not prepared as per the *rasa shastra* can be “deadly” with metals like lead and mercury. Further, it gives a case study of a patient whose health condition deteriorated by consumption of Ayurvedic medicine. It quotes several medical experts like Toxicologist who stated “there is strong need for stringent quality control measures to be put in place for Ayurvedic medicines”, and a Neurologist stated that one of his patient was consuming Ayurvedic medicines for diabetes control, though the diabetes level has been lowered, his health has deteriorated over a period of time and further added “the alarming growth in lead poisoning in patients has now led us to take detailed medication history of patients including Ayurvedic and herbal medications as well.” A Gastroenterologist stated “I see at least 15 cases of lead poisoning due to extra load heavy metals in Ayurvedic medicines taken for sugar control by diabetics. In five to ten cases patients have severe complications including poor digestion, jaundice and chronic liver diseases.”

However the complainant rubbished all the facts shared in the report and have quoted the World Health Organization which states that lead is a naturally occurring toxic metal found in the earth’s crust and its widespread use has caused environmental contamination and this has exposed human beings to this toxic metal in various ways through mining, smelting in manufacturing and recycling activities. Thus the patients referred in the news item by the Doctors who were claimed of falling ill due to consumption of lead present in Ayurvedic or herbal medicines is not a true fact as the name of the alleged herbal or Ayurvedic medicine consumed are not revealed in the report. Also whether those patients have consulted any Ayurvedic Physician before consuming the alleged medicines is not clarified/mentioned. Hence the complainant claims that the statements of the experts quoted in the news item are also vague and biased with an intention to malign Ayurveda.

On 29.05.2017, the complainant further filed a direct complaint with the Council with a declaration and has requested the Council to take further necessary action in the matter.

A Show Cause Notice dated 29.06.2017 has been issued to the respondent for Written Statement.

### **Written Statement**

Mr. Shailendra Singh, Counsel for the respondent Editor, vide Written Statement dated 04.08.2017 has informed the Council that the news item titled, "Poison in Ayurvedic Drugs" dated 31.3.2017 authored by his client's reporters, Mr. Paul John and Ms. Radha Sharma was published in public interest. The correspondents' intent behind publishing of this article was just to caution the general public about the instances of lead poisoning due to Ayurvedic medicines and the news item was based on the comments of experts and persons who have suffered. It was never the intention to show Ayurveda in bad light. The article contains the findings of research by a well-known medical college of the country. Further, he states that the use of the expression "Poison" in the caption of the newspaper is not related to Ayurvedic medicines, but highly unsafe concentration of metals like mercury, arsenic and lead in the medicines amounts to poisoning. However, the article no any uses "Poison" as a blanket expression for ayurvedic medicines in guard. The article, Central Body on New Ayurvedic Drugs likely" published in Economic Times, which is sister newspaper of Times of India, also states that steps taken by the AYUSH Ministry are in the wake of 600 pharmacies being locked down due to violation of Good Manufacturing Practices and failure of several drug samples. Hence both the newspaper have the same opinion on this point.

Further, he submits that the Editor carried an article on 18.4.2017 having title "AYUSH swears by safety of ayurvedic medicines" which states that Ministry has put mechanisms in place for stringent compliance to GMPs (Good Manufacturing Practices) and submission of evidence of safety and effectiveness for obtaining manufacturer's license. The article was published after the complainant sent a letter to Mr. Jaideep Bose of Bennett Coleman & Company Limited.

He has submitted that his client is well aware of the importance of Ayurvedic system of medicine which has been recognised worldwide. The article in question has cautioned the readers against self-medication and using medicines manufactured and prescribed by non-registered practitioners. The article no way questions the licensing, manufacturing and labelling system laid down by the AYUSH Ministry. He has further requested the Council to take this reply on record and drop the proceeding against his client.

A copy of the Written Statement was sent to the complainant on 22.12.2017 for counter comments if any.

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

The matter came up for final hearing before the Inquiry Committee on 25.6.2018 at New Delhi. Smt. Shiela Tirkey, Under Secretary and Dr. P.K. Dua, Research Officer appeared on behalf of the complainant. Smt. Uma Bhushan Lohray, Assistant Manager, Bennett Colman & Co. ltd. represented the respondent newspaper.

The Ministry of Ayurveda Yoga & Naturopathy, Unani Siddha and Homeopathy has filed this compliant through its Under Secretary against the respondent newspaper, the Times of India, particularly its headline which states, "Poison in Ayurvedic Drugs". It is the contention of the complainant that the headlines intend to demean the Ayurvedic medicines altogether and it has tendency to scare the readers.

Ms. Uma Bhushan Lohray appearing on behalf of the respondent, however, submits that the said headline has been given on the basis of the materials available and published in the news item itself.

The Inquiry Committee has bestowed its consideration to the rival contentions. Clause 21 of the Norms of the Journalist Conduct *inter-alia* provides as follows:

"Headline not to be sensational/provocative and must justify the matter printed under them".

In general and particularly in the context of communal disputes or clashes

- a. Provocative and sensational headlines are to be avoided.
- b. Headlines must reflect and justify the matter printed under them.
- c. Headings containing allegations made in the statements should either identify the body or the source making it or at least carry quotation marks.

The Inquiry Committee is of the opinion that the headline is provocative, sensational and alarming. On the basis of opinion of an individual or a body of individuals, the entire Ayurvedic drugs ought not have been condemned and termed as poison. In any view of the matter if it was an opinion of an individual or a body of individuals, it ought to have been carried with a quotation mark. The respondent newspaper even has failed to do so.

In view of the gravity of the matter, the Inquiry Committee is of the opinion that the respondent newspaper, the Times of India, Ahmedabad Edition, deserves to be Censured and it is **Censured** accordingly.

**Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to Censure, The Times of India. A copy of the adjudication be forwarded to the Director General, DAVP, the Director, Information and Public Relations Department, the District Magistrate, Ahmedabad and the RNI for appropriate action.

## **Press Council of India**

Sl. No. 6

F. No. 14/85/17-18-PCI

### **Complainant**

Shri Sanjeev Kumar Tyagi,  
Advocate, Chamber No. 26,  
Pt. Brahmprakash Sharma Building,  
Collector Compound, Mujjaffarnagar,  
Uttar Pradesh – 251 001.

### **Respondent**

The Editor,  
Hindustan,  
Hindustan Media Ventures Ltd.,  
2<sup>nd</sup> floor, Shriram Plaza,  
SBI Zonal Office, Garh Road,  
Distt. Merut, U.P. 250 004.

### **Through**

Shri Imran Farid,  
Under Secretary to the  
Government of India,  
Ministry of Information and Broadcasting,  
'A' Wing, Shastri Bhawan,  
New Delhi – 110 001.

### **Adjudication dated 26.9.2018**

This complaint dated 04.02.2017 has been filed by Shri Sanjeev Kumar Tyagi received through the Ministry of Information and Broadcasting on 31.05.2017 against the Editor, Hindustan alleging publication of an advertisement showing disrespect and misuse of Indian National Flag in its issue dated 26.01.2017.

The complainant has stated that the respondent had published an advertisement of Aqualite India Company; manufacturer of foot wears on the occasion of Republic Day alongwith National Flag. He has further stated that it is disrespect and misuse of National Flag.

The complainant vide his letter dated 28.01.2017 drew the attention of the respondent newspaper, but did not received reply.

### **No Written Statement**

A Show Cause Notice dated 01.08.2017 has been sent to the respondent newspaper for Written Statement, but received no response.

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

The matter came up for hearing before the Inquiry Committee on 25.6.2018 at New Delhi. Neither the complainant nor the respondent has chosen to appear.

Despite service of notice, the complainant has not chosen to appear. Infact, he has filed an application for adjournment of the case. The Inquiry Committee is not inclined to accede to his prayer

The Inquiry Committee has perused the complaint and connected papers and is of the opinion that impugned advertisement does not show any disrespect to the National Flag. The Inquiry Committee, accordingly, recommends for the dismissal of the compliant.

### **Held**

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

## **Press Council of India**

Sl. No. 7

F. No. 14/94/17-18-PCI

### **Complainant**

Shri Yograj Sharma,  
Field Manager,  
Food Corporation of India,  
District Office Hapur,  
Meerut Road, Sailo,  
Hapur – 245 101, U.P.

### **Respondent**

The Editor,  
Hindustan,  
New Delhi.

### **Adjudication dated 26.9.2018**

This complaint dated 02.06.2017 has been received from Shri Yograj Sharma, Field Manager, FCI, Hapur against the Editor, Hindustan for publication of false and misleading news item in its issue dated 28.05.2017 under the caption “एफसीआई गोदाम पर छापा, घटतौली पकड़ी”.

It is reported in the impugned news item that Special Advisory Team of FCI, Lucknow raided godown in Partapur. The team found that food grains are less in quantity. It is further reported in the news item that officers of that team stated that Transporters and Officers are hand in gloves in carrying out fraudulent activities. They will submit report to the Centre. It is also reported that in some trucks other than food sacks, bricks and stones were also being weighed. According to one of the team member's, Shri Vidhun Aggarwal, it is a matter of serious concern.

The complainant has stated that the respondent had published the new item without verifying the facts. The news was published not only to defame Food Corporation but also to misled readers. He has further stated that Shri Vidhun Aggrawal is not a Board Member, he is a member of State Solicitation Committee and he can inspect the godown that too along with 1/3<sup>rd</sup> of the members, not alone.

The complainant vide his letter dated 02.06.2017 drew the attention of the respondent towards the impugned news item and requested him to publish the rejoinder, but no response has so far been received.

### **No Written Statement**

A Show Cause Notice dated 01.08.2017 has been issued to the respondent newspaper for written Statement, but received no response.

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

The matter came up for hearing before the Inquiry Committee on 25.6.2018 at New Delhi. There was no appearance from both sides.

Despite service of Notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and connected papers. The complainant does not deny that inspection was made at godown. His only grievance is that the officer making inspection had no authority to do that. The Inquiry Committee had nothing to do with this part of the allegation of the complainant. The Inquiry Committee does not find any merit in the complaint and accordingly, recommends for its dismissal.

**Held**

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

## **Press Council of India**

Sl. No. 8

F.No. 14/92/17-18-PCI

### **Complainant**

Shri Yograj Sharma,  
Regional Manager,  
Food Corporation of India,  
District office Hapur,  
Meerut Road, Hapur – 245 101,  
Uttar Pradesh.

### **Respondent**

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

### **Adjudication dated 26.9.2018**

This complaint dated 02.06.2017 has been filed by Shri Yograj Sharma, Regional Manager F.C.I Hapur against the editor, Dainik Jagran alleging publication of false and fabricated news item in its issue dated 28.05.2017 under the caption गेहूँकेसाथट्रकोमेलदीमिलीईटोंवपानीकीकैन.

It is reported in the impugned news item that one of the Board Members, Shri Vidhun Aggrawal has conducted a raid in FDI godown at Partapur (Meerut) and found many discrepancies. Trucks coming with wheat bags also had bricks and water canes loaded on them. There is no proper system of gate pass for entry/exit of trucks from the godown. It is also reported in the news item that the Board Member, Shri Vidhu Vidhun Aggrawal told that it appears that staff and transporters are hand in glove in the matter.

The complainant has stated that the respondent had published the new item not only to malign the image of Food Corporation but also to mislead the readers. He has further stated that Shri Vidhun Aggrawal is not a Board Member, he is a Member of State Consultative Committee and he has no right to conduct raid and he can only inspect the godown with 1/3 of the members and not alone. He has also stated that photograph of bricks published in the news item are of bricks placed there long time back.

### **No Written Statement**

A Show Cause Notice dated 01.08.2017 has been issued to the respondent newspaper for written Statement but no response has been filed.

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

The matter came up for final hearing before the Inquiry Committee on 25.6.2018 at New Delhi. Neither the complainant nor the respondent has chosen to appear.

Despite service of Notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and connected papers. The complainant does not deny that inspection was made of the godown. His only grievance is that the officer making inspection has no authority to do that. The Inquiry Committee has nothing to do with this part of the allegation of the complainant. The Inquiry Committee does not find any merit in the complaint and accordingly, recommends for its dismissal.

**Held**

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

**Press Council of India**

Sl.No. 9

File No. 14/585/16-17 PCI

Ms. Heena,  
C/o. Shree Krishan Aggarwal,  
Near Old Bus Stand,  
Aleti Mandi, Haryana

Vs.

Editor,  
Amrit Nidhi,  
Bhopal

**Adjudication dated 26.9.2018**

This complaint dated 8.2.2017, has been filed by Ms. Heena, Ateli Mandi, Haryana against the editor, Amrit Nidhi, a news magazine from Bhopal for publication of an allegedly misleading advertisement. The complainant has submitted that the respondent monthly news magazine published an advertisement which claimed that Dr Sanjay Gupta and Dr. Aradhana Gupta of Aradhana Maternity & Kidney Hospital, Bhopal to be the first and only qualified nephrologists in Madhya Pradesh and the hospital as the only hospital for treatment of kidney diseases.

The complainant has alleged that the respondent news magazine falsely advertised the name of the lady doctor Aradhana Gupta who has not been working in the said hospital for the last five years. She also stated that Dr. Sanjay Gupta practicing as Nephrologists with qualifications MD (Medicine) but his degrees like MD (Nephrology) and Diplomat National Board (Nephro) are not registered with Madhya Pradesh Medical Council. According to the complainant, the said doctors claimed to have miraculous powers for diagnostic, cure, mitigation treatment or prevention of kidney diseases and gynaecological problems.

The complainant further stated that the advertisement in question was published without taking prior approval and willingness of the concerned doctors. She has requested to take necessary action in the matter.

Show Cause Notice was issued to the respondent Editor, Amrit Nidhi, Bhopal on 29.6.2017.

**Written Statement**

The respondent editor, Amrit Nidhi, Bhopal in its written statement dated 12.7.2017 submitted that there is no such lady in the name of Heena (the complainant) and this is a pseudonymous person having no existence. The editor further submitted that while this pseudo complainant is purportedly residing in Haryana and his monthly magazine does not have circulation in Haryana but confined only in Bhopal.

According to the respondent editor, the factual position of the matter is that there is someone namely Shri Gajanan Agarwal, (his son in law) s/o Ramdutt Agarwal r/o. Old Bus Stand Aleti Mandi, Haryana behind this complaint. He has stated that Shri Gajanan Agarwal was married to his second daughter Richa Gupta in the year 2012 after her marriage, Shri Gajanan Agarwal and his family had beaten up his daughter for dowry and demanded 10 lakh rupees and a dowry case u/s 498 A IPC is pending before JMFC. For this reasons, they are pressurizing him to withdraw the said dowry case. And this complaint is one of the tactics. Thus the complaint has been filed with vested interest against him and his wife and Dr. Sanjay Gupta as well as zXDr. Arandhana Gupta.

According to the respondent both Dr. Sanjay Gupta and Anadha Gupta are good medical practitioners having qualifications of MD, DNB. The respondent added that Dr. Sunjay Gupta sent a legal notice for defamation through his advocate to Ms. Heena at the said address but the notice was received back with postal remark 'Not residing - left'. The respondent editor has requested that the complainant, Ms. Heena may be asked to appear personally before the Press Council of India.

A copy of the Written Statement was forwarded to the complainant on 27.7.2017 for her Counter Comments

#### **Counter Comment**

The complainant in her Counter Comment dated 23.8.2017 submitted that the respondent's news magazine is not only confined to Bhopal but also published from various cities and towns in Uttar Pradesh, Bihar and Haryana. The complainant also stated that the respondent himself admitted in his letter 16.01.2016, addressed to Dr. Sanjay Gupta of Aradhana Hospital that the advertisement in question was published without his consent.

A copy of the Counter Comment was forwarded to the respondent on 5.9.2017 for his information and comment.

#### **Further Comments of the Respondent**

The respondent in his further Comment dated 3.9.2017 has admitted that the advertisement in question was published without prior approval of the concerned doctors and stated that the advertisement was published in appreciation of the said doctors for their commendable services.

A copy of the Further Comment was forwarded to the complainant on 25.10.2017 for information.

#### **Further Communication**

The complainant, Ms. Heena vide a further communication dated 19.9.2017 submitted that the respondent editor Dr. M Gupta misused a government accommodation Quarter No. E-100/48, Shivaji Nagar, Bhopal, Madhya Pradesh for commercial purposes i.e. relating to publication of Amrit Nidhi for many years.

A copy of the communication was forwarded to the respondent on 25.10.2017 for his information.

#### **Reply to Communication**

The respondent in his undated reply received in the Secretariat of the Council on 24.11.2017 denied misusing the government accommodation for commercial purpose and stated that the allegation was found to be false by the inquiry conducted by the government of Madhya Pradesh. The respondent stressed on the identity of the complainant, Ms. Heena and suggested that Aadhaar Card, Voter ID and PAN Card of the complainant may be obtained so as to curb anonymous complaint in future.

A copy of the reply was forwarded to the complaint on 6.12.2017 for her information.

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

The matter came up for hearing before the Inquiry Committee on 25.6.2018 at New Delhi. There was no appearance on behalf of the complainant. Dr. Mohan Murari Gupta, Editor, Amrit Nidhi appeared on behalf of the respondent.

It is the allegation of the complainant that the advertisement published in the respondent newspaper is misleading and false. Dr. Mohan Murari, Editor, Amrit Nidhi appearing on behalf of the respondent states that the advertisement has been published by mistake for which he sincerely regrets. He also states that in the next issues of the newspaper, he will clarify that the advertisement was published without any authority and also expressed regret for the same. In view of the aforesaid undertaking, the Inquiry Committee is not inclined to proceed in the matter any further. The respondent is, however, directed to send "the regret" which he has promised to publish in the newspaper, to the Council, the complainant and doctors concerned.

**Held**

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

## **Press Council of India**

Sl.No. 10

F.No. 14/539/16-17-PCI

### **Suo-motu cognizance against the Editor, Crime Line, Shahjahanpur, for distribution of fake appointment letter and identity card to persons in the name of Journalists.**

#### **Adjudication dated 26.9.2018**

The Council while adjudicating the complaint filed by Shri Kashmir Singh, against Police authorities, Rajasthan came across the fact that Crime Line is engaged in appointing correspondents on payment basis for sum of as minimum as Rupees five hundred. Shri Kashmir Singh alongwith two other persons, namely Shri Balvir Singh, and Shri Sukhvinder Singh, have been appointed as correspondents of Crime Line in the past. Hiring correspondents in such a manner raised question regarding accountability and credibility of the journalists and the Council inferred that such kind of correspondents can misuse the profession. Hence the Council took suo-motu cognizance of the matter and directed the Secretariat to issue show cause notice to Crime Line for submitting a written statement against the allegation.

#### **Written Statement from the respondent**

A Show-Cause Notice dated 27.04.2017 was issued to the Editor/Publisher, Crime Line.

In the written statement dated at 18.05.2017, the respondent newspaper submitted that Shri Kashmir Singh, Correspondent, Crime Line, Alwar, had been working with Crime Line as a freelancer for the last one year and his work has been found satisfactory and on the basis of that he has been assigned with more important reporting task and in relation to that an identity card has been issued to him and he has not been charged for that, neither Shri Balvir Singh or Shri Sukhbinder Singh have been charged for issuance of identity cards. However, as the card was issued to him through an agency so a minimum amount has been charged for delivery and for misplacing the card. The Editor has further assured that Crime Line would never indulge in any practice that is unethical in the profession of journalism.

#### **Hearing by Inquiry Committee dated 20.09.2017**

The matter was initially placed before the Inquiry Committee on 20.09.2017. It heard Shri Rajeev Sharma, the Editor, Crime Line who stated that the cards given to the three persons have been cancelled. The Inquiry Committee directed him to give details of the correspondent appointed by him alongwith qualification.

In pursuance of the Inquiry Committee's order dated 20.09.2017, the respondent editor vide letter dated 20.2.2018 has filed the details of the correspondents appointed by him which are as follows:

1. Shri Sanjay Morya, 148/4, Vijay Nagar Kanpur - PG Diploma in Journalism.
2. Shri Ravi Kumar Sharma, 5/303, Aawas Vikas Colony, Barely Mor, Shahjahanpur, - Graduate.
3. Shri Amardeep Singh Khutar, Shahjahanpur - MSc, Mass Communication & Journalism.
4. Shri Gopal Kumar, Allapur, Shahbad, Hardoi - BSc.

**Report of the Inquiry Committee**

The matter came up for final hearing before the Inquiry Committee on 26.6.2018 at New Delhi. Ms. Suchita Dixit, Advocate appeared on behalf of the respondent, Crime Line.

In the light of the directions of the Inquiry Committee, the respondent Editor has given the list of the journalists appointed by him in part time/contractual basis

The Inquiry Committee takes on record the said statement and drops the proceedings.

**Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings in the matter.

**Press Council of India**

Sl.No. 11

F.NO. 14/240-244/17-18-PCI

<b>Complainant</b>	<b>Respondent</b>
Shri Yadvendra Bahadur Pal, P.S.- Gorakhnath Janpad, Gorakhpur, UP.	1. The Editor Hindustan, Gorakhpur, U.P.  2. The Editor DainikJagran, Gorakhpur, U.P.  3. The Editor Amar Ujala, Gorakhpur, U.P.  4. The Editor, Rashtriya Sahara, Gorakhpur, U.P.  5. The Editor Sandhya Hindi Dainik Janpad, Gorakhur, U.P.

**Adjudication dated 26.9.2018**

This complaint dated 6.9.2017 has been filed by Shri Yadvendra Bahadur Pal, a resident of Janpad, Gorakhpur, UP against the Editors of Hindustan, DainikJagran, Amar Ujala, Rashtriya Sahara and Sandhya Hindi Dainik, Gorakhpur Editions, for publishing incorrect, fictitious and misleading news items against the complainant in their respective issues dated 30.7.2017, details of which are given below:

<b>Sl. No.</b>	<b>Newspaper</b>	<b>Caption (with translation)</b>	<b>Brief</b>
1.	Hindustan	C.M. ki thane par dagi inspector ki tainati sab ki juban par (Everybody is talking about the transfer of ill-reputed and blotted Inspector to C.M.'s Police Station).	This news items states that the entire Police Headquarters discussing and questioning the posting of Inspector Pal to Gorakhnath P.S. that covers the region in which CM.'S residence is situated. Shri Pal's service career has been blotted with several accusations of misconducts and wrong doings and hence his posting to such an important P.S. is being questioned by his fellow Police officers. During a murder case investigation when D.I.G of Police asked Inspector Pal for the progress report, he went on leave. However, D.I.G knowing the leverage of the investigation had suspended Shri Pal.
2.	Amar Ujala	Dagi inspector ko banaya Gorakhnath thana prabhari (ill-reputed inspector is posted as	Ignoring Hon'ble C.M.'s order, blotted Inspector Mr Pal has been posted as Officer-in-charge of Gorakhnath P.S.

		Officer –in-Charge of Gorakhnath P.S.)	He is an accused and a case against him of harassing a gangrape victim is under consideration before the Hon'ble Court.
3.	Sandhya Hindi Dainik	Vivadith thanedar ko mila Gorakhnath Thanay ka charge (Litigious Inspector has been made incharge of Gorakhnath P.S.)	The news item questions posting of ill-reputed Inspector Mr. Pal to Gorakhnath P.S. which covers the area in which C.M.'s residence is situated. Inspector Pal has been accused of harassing rape victim, and a case has been filed against him in the Court. In a gangrape incident that took place under jurisdiction of Sajanwa P.S. when Mr Pal was the P.S. Incharge he had been accused of delaying medical investigation of the rape victim. Even in past, he was suspended by D.I.G in Chehra Murder case. When Inspector Pal was posted at Sajanwa P.S. Several charges were made against him by the Court and out of such several cases which are under consideration before the Court charges of harassing a gangrape victim is one.
4	DainikJagran	Gorakhnath main thanedar ki taynati bani charcha ka bishay (the matter of transfer of Police Station Incharge became a topic of discussion)	This news item states that the information of transfer of Mr Pal an Inspector in Gorakhnath P.S. has become a topic of discussion. Inspector Yadvendra Bahadur Pal was replaced by previous Inspector Rana Rajesh Singh. During his posting at Sajanwa P.S. as an Officer Incharge, in an incident of gangrape a student was accused of committing the crime and the victim's medical investigation was delayed by the said Inspector by ten days and it was only after seeking direction from the Court that the victim's Medical investigation was carried out.
5.	Rashtriya Sahara	Vivado main ghiray rehne walay inspector Gorakhnath ke prabhari banay (Controversial Inspector posted as the Officer-in-Charge of Gorakhnath P.S.)	D.C.R.B posted controversial Inspector Shri Yadvendra Pal has been posted as the P.S. incharge of Gorakhnath P.S. In the past, Inspector Pal was charged by the Court for harassing a rape victim and delaying medical investigation and a case was filed in the Court Police Station. Even he was accused of misbehaving with S.P.

The complainant claims that all the above news items were published with malafide intention to tarnish his reputation and all the allegations levelled against him are untrue and fabricated. The complainant vide letter dt. 17.08.2017 drew the attention of the respondents towards the impugned publication with the request to publish apology and true and correct facts, but received no response.

Therefore the complainant has pleaded the Council for taking stringent actions against the respondent newspapers on the basis of the submitted documents.

### **Reply Filed by the Respondents**

#### **Written statement of Rashtriya Sahara**

In response to the Show Cause Notice dated 21.09.2017, Rashtriya Sahara vide its letter dated 11.10.2017 has filed its written submission in which it submits that Inspector Pal is quite infamous for his misconduct in service and wrongdoings. He has been accused of being involved in harassing the rape victim in a gang-rape case. In this matter, a case was filed against him in the Court. This incident has happened when he was the Station Incharge of Sanjanwa P.S. Hence, transfer of such ill-reputed and corrupt police inspector to an eminent Police Station of Gorakhnath as in charge of the police station is definitely a matter that needs to be questioned.

Stating this the respondent newspaper has requested for a copy of the complaint.

#### **Written statement of Dainik Jagran**

In response to the Show Cause Notice dated 21.09.2017, Dainik Jagran vide its letter dated 23.10.2017 has filed its reply in which it has submitted that considering the eminence of the Gorakhnath Police Station because it covers the region where the residence of C.M. as well as world's renowned Gorakshpeeth is situated, posting an ill-reputed officer like Mr. Pal may have negative consequences and thus people needs to know this news. Hence, the news has been published solely in public interest and has no intention of maligning anybody's reputation. Stating this, have requested to dismiss the complaint.

#### **Written statement of Amar Ujala**

In response to the Councils Show Cause Notice dated 21.09.2017, Amar Ujala vide letter dated 20.10.2017 has denied the allegations of the complainant and had further stated that the complaint is false, frivolous and concocted. It has admitted that apart from publishing the news item which is alleged to be impugned news item captioned "Dagi inspector ko banaya Gorakhnath thana prabhari", Amar Ujala denies all other allegations. It has further submitted that the news item is not objectionable and the Editor has neither violated any journalistic norms for not committed any misconduct and the reporting was done in good faith in discharge of public duty of any malice. The stated news was general and informative news item.

Hence, pleaded that the complaint may be dismissed.

Hindustan and Sandhya Dainik have not filed written statement in the matter.

#### **Counter Statement of the Complainant**

In response to Council's letter dated 15.11.2017, the complainant vide its letter dated 12.1.2018 has further submitted that the respective editors have published the news with respect to F.I.R. (0359) on 26.10.2016 filed against him in the Court Police Station, despite knowing the facts that the Court found no substantial evidence against him.

Therefore, the complainant has requested the Council to take strict action against the respondent newspapers.

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

The matter came up for final hearing before the Inquiry Committee on 26.6.2018 at New Delhi. There was no appearance on behalf of the complainant. Mr. B.K. Mishra & Mrs. Poonam Atey, Advocate appeared for the respondent, Dainik Jagran.

Despite service of Notice, the complainant has not chosen to appear. The Inquiry Committee has heard the counsel representing the respondent newspaper and has perused petition of complaint, reply and all other connected papers. The Inquiry Committee is of the opinion that there is basis for publication of the impugned news item. The Inquiry Committee does not find any merit in the grievance of the complainant and accordingly dismisses the complaint.

**Held**

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

**Press Council of India**

Sl. No. 12

F.No. 14/308/17-18-PCI

**Complainant**

Shri Vijay Goel,  
10, Ashoka Road,  
New Delhi – 110 001.

**Respondent**

The Editor,  
The Indian Express,  
New Delhi.

**Adjudication dated 26.9.2018**

This complaint dated 13.10.2017 has been filed by Shri Vijay Goel against the Editor, The Indian Express for publication of news item in its edition dated 16.08.2017 under the caption **“Minister Vijay Goel’s NGO asks for plot, DDA changes norms, layout plan to allot”**.

The news item reported that **“In January 2014, soon after Goel became a Rajya Sabha member, Vaish Aggarwal Educational Society-DDA records mention Goel as vice-president, son Siddhant and daughter Vidhyun among members- sought land from the DDA to set up a toy bank”**

The complainant objected to the fact that as to why his name has been unnecessarily dragged in the allotment of land to Toy Bank for underprivileged children. In fact, Sandeep Garg (General Secretary, VAES) responding to an email from Shri Jay Mazoomdaar, vide email dated 14<sup>th</sup> August, 2017 (prior to publication of the report), had informed him about his association with the VAES and Toy Bank. Shri Jay Mazoomdaar was specifically informed that he (complainant) had already resigned way back in 2013 and since then have no active association with the VAES and Toy Bank. The complainant further submitted that the story of the respondent was an attempt to give a specific colour of misuse of power by the complainant for the allotment of the land for Toy Bank to VAES.

Further the news item reported that **“Dismissing objections raised by its own officials, the Delhi Development Authority changed its layout plan to allot a plot in the capital earmarked for a post office to an NGO closely associated with the Union Minister of Youth Affairs and Sports Vijay Goel in September 2016. In fact, Goel’s NGO kept asking for the plot, adjacent to a school it runs. And at one point, it openly upbraided the DDA for seeking documents.”**

With regard to above reported fact the complainant submitted that there is nothing unusual in the allotment of the land to Toy Bank, as change of layout plan is a routine activity and is done by the DDA on regular basis as and when required. This fact can be verified from the DDA. Moreover it is wrong to say that the lay out plan of the plot was changed only to allot the same to Toy Bank. In fact, the purpose of allotment of land was already changed almost 14 years ago (in 2003) for the purpose of Post Office to socio cultural activity which is admitted in the story itself.

The news item also reported that **“mandatory sponsorship letter from the Government was not provided”**

The complainant submitted that the sponsorship letter from Under Secretary (CW-1) in the Ministry of Women and Child Development was issued with the approval of Secretary (WCD).

The complainant vide his letter dated 17.8.2017 drew attention of the respondent towards impugned news item with a request to tender an unconditional apology and publish

the same in the front page of the newspaper with the same level of prominence. He has submitted that neither any apology was tendered nor any action was taken on his complaint. He has requested the Council to take action against the respondent.

A ShowCauseNotice was issued to the respondent on 03.11.2017 for filing Written Statement.

### **Written Statement**

The respondent Editor, The Indian Express has filed the Written Statement dated 16.11.2017 wherein he has stated that no cause of action is made out by the complainant in the complaint. The news report was carried in good faith, in public interest, based on information and/or documents received from reliable sources, and a response sent on behalf of the complainant, and without malice towards the complainant or anyone else. He has further stated that the reporter had approached the complainant to respond to and give his comments to specific queries. The complainant declined to answer or give his response to the queries and vide email dated 11.8.2017 stated that somebody from the NGO would respond. Regarding denial by the complainant that he was VP of VAES and objection to the sentence, "In January 2014, soon after .....", the DDA records of 2015 show that the complainant was the Vice President of VAES. The paper referred web link to corroborate this fact reported in the impugned news item. He has also stated that the complainant incorrectly contended that the letter from the Ministry of Women and Child Development is the mandatory sponsorship letter. It is merely a supportive letter which states that "this Ministry is supportive of all efforts to promote the development of children including the establishment of toy bank and similar activities."

A copy of Written Statement has been forwarded to the complainant on 24.11.2017 for information and Counter Comments.

### **Counter Comments**

The complainant vide his Counter Comments dated 11.01.2018 has submitted Para-wise counter on Written Statement filed by the respondent. He has stated that facts and circumstances mentioned by him will clearly establish that the Reporter has miserably failed in his duty to practice ethical journalism by intentionally publishing a fabricated story to lower his goodwill and reputation in the estimation of the Society, which he has built brick by brick with his hard work and sincerity for many years. He has also stated that publication of such baseless news item has done no good to the society except aimed at tarnishing his public image. He has requested the Council to take action under the relevant provisions of the Press Council Act, 1978 and the Press Council (Procedure for Inquiry) Regulations, 1979.

A copy of Counter Comments has been sent to the respondent on 09/02/2018 for information/further reply.

### **Further Communication from the respondent**

In response to Council's letter dated 09.02.2018, the respondent vide his letter dated 05.03.2018 has furnished Para-wise reply to counter comments. He has denied that the news report was prepared to tarnish the reputation of the complainant. He has further denied that the reporter has purportedly indulged in unethical journalism. He has further stated that information is attributed to official DDA records. He has stated that the allotment of a public land by DDA to a private NGO which admittedly has nexus with a Minister/his family is a matter of genuine public interest, and there can be no bar to scrutiny by the press and public. He has further stated that the complainant's relation with the NGO, VAES is admitted in 2017 by VAES General Secretary, Mr. Sandeep Garg in his email, that the complainant was a member of VAES. He has also stated that in the interest of freedom of press and public

interest, the bona fide news report based on information and/or documents received from DDA, after incorporating inputs received from the complainant and the VAES General Secretary, does not warrant any warning, censure or admonishment from the Hon'ble Press Council of India.

A copy of further communication received from the respondent was sent to the complainant on 03.04.2018 for information.

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

The matter came up for hearing before the Inquiry Committee on 26.6.2018 at New Delhi .The complainant, Shri Vijay Goel along with his advocate appeared before the Committee. On behalf of the respondent newspaper, Shri Ajay Dignpaul author of the impugned news item, Smt. Ritu Sarin, Executive Editor and Shri Abhijeet Negi, Advocate were present.

The Inquiry Committee has heard the complainant as also the counsel for the respondent and the author of the story and has perused the complaint, the written statement and all other connected papers. On the date of publication of the news item, Shri Goel was not an office bearer of the association. From the email dated 14.8.2017 of the General Secretary of the NGO, the respondent newspaper was informed that Shri Goel had resigned from the NGO in 2013. Despite that the newspaper had chosen his name for the headlines, perhaps to make the story juicy. In the facts of the present case, the Inquiry Committee is of the opinion that the name of the complainant in the headline and his picture ought to have been avoided. The Inquiry Committee, accordingly, advises the newspaper to be careful in future.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint with aforesaid advise.

**Press Council of India**

**Sl. No. 13**

**F.No. 14/12-21/17-18-PCI**

Shri N.L.Singh, Retired Chief Pharmacist/ In-charge Officer Pharmacy, Lucknow, U.P.	1.The Editor, Aawami Salar, Lucknow, U.P.  2.The Editor, Vaheed Bharat Times, Lucknow, U.P.  3.The Editor, Voice of Lucknow, U.P.  4.The Editor, Kanbij Times, Lucknow, U.P.  5.The Editor, Group-5 Samachar, Lucknow, U.P.  6.The Editor, Rahat Times, Lucknow, U.P.  7.The Editor, Spasht Aawaj, Lucknow, U.P.  8.The Editor, Swatantra Bharat, Lucknow, U.P.
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**Adjudication dated 26.9.2018**

This complaint dated 27.3.2017 has been filed by Shri N.L.Singh, Lucknow, U.P. against the respondent editors (i) Awami Salar, (ii) Vaheed Bharat Times, (iii) Voice of Lucknow, (iv) Kanbeej Times, (v) Group-5 Samachar, (iv) Rahat Times, (vii) Spasht Awaj, (viii) Swatantra Bharat, (ix) Panjab Kesari, (x) Umeed ki Roshni allegedly for publication of baseless, false, fabricated misleading and defamatory news items from October, 2015 to November 2015 captioned given as below :-

<b>Sl.No.</b>	<b>Newspaper</b>	<b>Captioned</b>	<b>Dated</b>
1	वहीदभारतटाइम्स	□।र्मासिस्टनेपत्रकारकोदीगलतदवापत्रकारकीहालतबिगड़ी बलरामपुरअस्पतालकेनिदेशकनेदिजाँचकेआदेश	30 अक्तूबर, 2015
2	वाँइसाआँ लखनऊ	ची□ □।र्मासिस्टनेमरीजकोदीगलतदवा , हंगामापीड़ितनेकीनिदेशखवस्वास्थ्यमंत्रीसेलिखितशिकाय त	
3	कैनविजटाइम्स	बलरामपुरअस्पतालकामामला , गलतदवाखानेसेहालतबिगड़ीची□ □।र्मासिस्टनेमरीजकोदी गलतदवा	
4	गुप 5-समाचार	बलरामपुरअस्पतालके□।र्मासिस्टपरहोसख्तकार्यवाहीजाँच केलिएनियुक्तकिएगएसीएमएसनेबनायाजाँचकेलिए 3	31अक्तूबर2015 ,

		डाक्टर्सकापैनल	
5	राहतटाइम्स	बलरामपुरअस्पतालके □ र्मिसिस्टपरहोसख्तकार्यवाहीजांचकेलिएनियुक्तकिएगएसीएमएसनेबनायाजाँचकेलिए 3 डाक्टर्सकापैनल	31अक्तूबर2015 ,
6	स्वतंत्रभारत	मरीजनेलगायाची □ □ र्मिसिस्टपरगलतदवादेनेकाआरोप	
7	स्पष्टआवाज	□ र्मिसिस्टपरकार्रवाईकीमांग	1नवम्बर2015 ,
8	अवानीसालार	(i) □ र्मिसिस्टमेदीगलतदवापत्रकारकीहालतबिग डीबलरामपुरअस्पतालकेनिदेशकनेदिऐजाँचकेआदेश (ii) दवामामला:बलरामपुरअस्पतालके □ र्मिसिस्टपरहोसख्तकार्यवाही	30अक्तूबर2015 ,  31अक्तूबर2015 ,

It is reported in the impugned news items that a correspondent was given wrong medicine by Shri N.L. Singh, pharmacist, Balrampur Hospital. After consuming the medicine, the correspondent felt extremely uneasy. The relatives, having suspected something wrong with the medicine, cross-checked the medicine from other doctor and found that wrong medicine was given. In this regard, the victim has complained to the Director of the hospital and Health Minister in writing. The United Patrakar Association took serious view of the matter and sought strict action against the pharmacist of the reputed hospital of Balrampur. The CMM of the hospital has constituted a panel consisting of three doctors for investigation. The incident has brought hospital administration under suspicion.

The complainant stated that the respondent has made baseless, false, fabricated, and misleading allegations to defame his image. Vide letters dated 20.12.2015, the complainant while drawing the attention of the respondents has requested papers to publish corrigendum but he did not receive any response.

The Council issued Show Cause Notices to the respondent editors, (i) Awami Salar, (ii) Vaheed Bharat Times, (iii) Voice of Lucknow, (iv) Group-5 Samachar, (v) Rahat Times, (vi) Swatantra Bharat, Lucknow, (vii) Kaubij Times and (viii) Spasht Awaz, U.P. on 21.07.2017.

#### **Written statement of Swatantra Bharat, Lucknow**

In response, the respondent vide letter dated 7.8.2017 submitted that the letter written by the complainant was not received by them. The news was published on the basis of allegation against the complainant by the victim to the Director, Balrampur Hospital for investigation. The information relating to the investigation report was given neither by the complainant nor by the Hospital Administration. If the complainant was found innocent in the report, he should have sent the attested copy of the report to them so that the investigation report could be published in the newspaper.

### **Written statement of Spasht Awaz, Lucknow**

The respondent vide letter dated 11.08.2017 informed that he had published rejoinder in its issue dated 10.08.2017 as desired by the complainant w.r.t. the impugned news item.

### **Written statement of Group-5 Samachar, Lucknow**

The respondent vide letter dated 11.08.2017 submitted that the report was published based on facts and in public interest without naming the complainant individually or to defame his personal image. The matter of health is a sensitive issue and a minor carelessness on the part of doctors or employees may cause risk to anybody's life. As this type of matter is concerned to the public, so it is the responsibility of the newspaper to publish the same. The respondent newspaper has published only the statements of the people.

A copy of the written statements were forwarded to the complainant on 24.8.2017 for counter comments.

### **Written statement of Awami Salar/Awaz, Lucknow**

The respondent vide letter dated 21.08.2017 submitted that Sh. Aarif Mukeem himself while providing complete information of the incident had given copy of his complaint to its correspondent. The news report was published in public interest after getting information from the Director of the Hospital. If the complainant is found innocent in the investigation report, the complainant may be directed to send the attested copy of the report to the respondent newspaper so that the investigation report can be published in the newspaper.

A copy of the written statement was forwarded to the complainant on 15.09.2017 for counter comments.

### **Counter comments of the complainant**

In response to the Council's letter dated 24.8.2017, the complainant informed vide letter dated 7.9.2017 that the respondent newspapers, Spasht Awaz and vide letter dated 22.08.2017 Group-5 Samachar and Swatantra Bharat respectively have published the clarification but not others. He requested to send the investigation report at the level of the Council and accordingly requested for publishing the clarification.

Copies of the counter comments were forwarded to the respondent editors, (i) Awami Salar, (ii) Vaheed Bharat Times, (iii) Voice of Lucknow, (iv) Group-5 Samachar, (v) Rahat Times, (vi) Swatantra Bharat, Lucknow, U.P. on 25.09.2017 for information.

### **Written statement of Vaheed Bharat Times**

The respondent vide letter dated 19.8.2017 while denying the allegation clarified that the information of the incident was given by the victim-Sh. Aarif Mkeem by providing complaint letter dated 29.10.2016 addressed to the Director, Balrampur Hospital against Shri N.L. Singh. However, efforts were made for taking version of the complainant before publishing the news but he refused to give any statement at that time. The respondent denied receiving any letter from the complainant for publication of corrigendum. He ensured that if the complainant sends copy of the report, they would take appropriate action.

A copy of the written statement was forwarded to the complainant on 12.10.2017 for information.

### **Further comments of the complainant**

The complainant vide letter dated 20.9.2017 submitted that the matter was investigated by the Director of the hospital and it was made clear in the investigation report that wrong medicine was not given by him. However, the concerned photographer and all the

respondents had have already complete information about the investigation report, still they did not publish it because the report was not in favour of the news report and it does not matter to them if image of any person is at stake.

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

The matter came up for hearing before the Inquiry Committee on 26.6.2018 at New Delhi. There was no appearance on behalf of the complainant. Mr. Masood Alam Jilani, Editor, Aawami Salar, Mr. Arif Muzeem, Editor, Waheed Bharat Times and Mr. Navkant Thakur, Sr. Correspondent, Swatantra Bharat represented their respective papers.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and heard the representative of the respondents. It is the grievance of the complainant that while publishing news against him, his version has not been recorded. It is the plea of the respondents that the impugned news item has been published on the basis of the information given by the victim himself. The Inquiry Committee is of the opinion that before publishing the impugned news item, the respondents ought to have taken the version of the complainant and should have incorporated the same in the news.

Further, it has been brought to the notice of the Inquiry Committee that after the inquiry, the allegation has been found to be false against the complainant. The respondent newspaper ought to have published the same as a follow up story with its own comments. The Inquiry Committee directs the respondents to obtain the version of the complainant within two weeks and publish the same with same prominence. The Inquiry Committee, further directs the respondents to publish news about the report given after the inquiry with its own comment, if any. With the aforesaid direction, the Inquiry Committee disposes of the complaint.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint with direction.

**Press Council of India**

Sl. No.14

F.No. 14/138-140/17-18-PCI

<b>Complainant</b>	<b>Respondent</b>
Shri Nandlal Gupta President, Trade Division and Booth Incharge, BJP, Jhangai Jhangai Colony, Jaunpur.	1. Editor DainikTarunmitra, Jaunpur.  2. Editor DainikJagran, Allahabad.  3. Editor Amar Ujala, Allahabad/Varanasi

**Adjudication dated 26.9.2018**

This complaint dated 3.07.2017 has been filed by Shri Nandlal Gupta, President, Trade Division and Booth Incharge, BJP, Jhangai Colony, Jaunpur against the editors of Dainik Tarunmitra, Jaunpur; Amar Ujala, Allahabad/Varanasi and Dainik Jagaran, Allahabad for publishing false news against the complainant in their newspapers.

The complainant alleges that Shri Bhola Nath Yadav, Editor/Correspondent of Dainik Tarunmitra, Jaunpur; and Shri Sandesh Mishra, Correspondent, Dainik Jagran, Allahabad, are regularly engaged in extortion activities. In the veil of journalism they extort money from the local businessmen. When their demands are not fulfilled, they threaten the local businessmen by levelling false charges against them in their publications. The complainant has stated that he is also victim of their misdemean.

The complainant claims that the respondent newspapers have published false and untrue news items against him in their newspapers as per details given herein below,

<b>Sl. No</b>	<b>Newspaper and Dated</b>	<b>Brief</b>	<b>Captioned</b>
1.	Tarun Mitra 29.06.2017	This news item states that Mr Santosh Mishra, a newspaper hawker from Jaunpur has filed a complaint against Mr Nandlal Gupta for threatening him with life after Mr Gupta's relative has been detained by police for illegal business. Mr. Santosh Mishra has filed the complaint at Jhangai Chowki, Jaunpur.	“Samachar Patra Vikreta ko Jaan se marne ki dhamki” (A newspaper hawker has been threatened with life).
2.	Amar Ujala 29.06.2017	This news item states that Mr. Santosh Mishra a resident of Jhangai has filed a complaint against Mr Nandlal Gupta at Jhangai Chowki, alleging that Mr. Gupta has threatened him with life because Mr. Mishra has helped the police in arresting an illegal trader of tickets who happens to be Mr.	Samachar Vikreta ko marne ki dhamki (newspaper hawker threatened with life)

		Gupta's relative.	
3.	DainikJagran, Varanasi 29.06.2017	A young man has been threatened with life by Mr Nandlal Gupta a resident of Jhangai, this complaint has been filed at Jhangai Chowki by Mr Santosh Mishra stating that Mr Gupta has threatened him with life because he had helped police in arresting Mr Gupta's relative accused of carrying out illegal ticket business.	Jaan se mar ne ki dhamki (threatened with life)
4.	Dainik Jagran, Allahabad 29.06.2017	Mr Santosh Mishra has filed a complaint against Mr. Nandal Gupta accusing him of threatening Mr. Mishra with life as he has helped the police in arresting a relative of Mr Gupta allegedly engaged in illegal business of ticket selling.	Samachar Vikreta ko jaan se marne ki dhamki (newspaper hawker is threatened with life).

In the impugned news items the complainant claims that the respondent newspapers have published news item levelling allegations against him of threatening a newspaper hawker of Amar Ujala with life, which is an untrue fact and is misuse of the press.

Further, the complainant vide letter dated 11.9.2017 drew the attention of the respondent editors of Tarunmitra, Amar Ujala and Dainik Jagran for publishing false and defamatory news items against him and requested them to take necessary action to stop publishing untrue and defamatory news items in their dailies.

The complainant has pleaded that the Council may investigate into the matter and take appropriate action against the respondents.

### **Reply Filed by the Respondents**

#### **Written Statement of Tarun Mitra**

In response to the Show Cause notice dated 3.10.2017 Tarunmitra vide written statement 20.10.2017 has informed the Council that the news item in question has been published after receiving a copy of the complaint filed by Mr. Santosh Kumar Mishra, a newspaper hawker, from Jaunpur who has filed police complaint against Mr. Nandlal Gupta accusing him of threatening Mr. Mishra with life. Therefore the news item is not published with any malafide intention and even Mr. Bhola Nath Yadav has no personal grudges against Mr. Gupta. The complaint may therefore be dismissed.

#### **Written Statement of Amar Ujala**

In response Amar Ujala vide its letter dated 30.10.2017 has submitted that the '*averments made in the complaint are not admitted except there appeared a news item in Amar Ujala, Varanasi Edition on 29.6.2017 with the caption 'Samachar Patra Vikreta Ko Marne Ki Dhamki', and rest all allegations as made in the complaint are not admitted and denied*'. It has further stated that the allegations are false, frivolous and concocted. It has stated that the news item was not published with any malign intention but is based on the complaint given by Mr. Santosh Mishra to Chowki Incharge PS Meerganj on 27.6.2017. Only content of the complaint have been published in routine course and has been done in public interest. It has also stated that Amar Ujala has no personal grudge against the complainant and hence the complaint may please be dismissed.

Written Statement has not filed by Dainik Jagran in the matter.

### **Counter Comments of the Complainant**

A counter comment has been filed by the complainant vide its letter dated 11.12.2017, in which the complainant has informed that the reply of the respondents are false as they are trying to escape proceedings against them and reinstated his earlier complaint. He further requested the Council to consider his complaint and take necessary actions.

An affidavit dated 26.6.2018 has been produced by the respondent on behalf of the complainant at the time of hearing held on 26.6.2018 stating that the complainant does not want any action against the respondent Editor, Tarun Mitra

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

The matter came up for hearing before the Inquiry Committee on 26.6.2018 at New Delhi. There was no appearance on behalf of the complainant. Mr. Ram Singar Shukla, Reporter, Tarun Mitra represented the respondent paper.

Despite service of Notice, the complainant has not chosen to appear. Mr. Ram Singar Shukla Gadela appearing on behalf of the respondent No. 1 Dainik Tarun Mitra produces before the Inquiry Committee an affidavit filed by the complainant himself. The affidavit, *inter-alia* states that the dispute has been settled and hence the case be closed. Taking note of the aforesaid affidavit, the Inquiry Committee dismisses the complaint.

### **Held**

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

**Press Council of India**

Sl. No. 15

F.No. 14/432/16-17-PCI

**Complainant**

Shri Shashi Kumar,  
c/o Smt. Sushila J.,  
Women Health Worker,  
CHC – Kheron, Raibareli,  
Uttar Pradesh

**Respondent**

The Editor,  
Jansandesh Times,  
Uttar Pradesh

**Adjudication dated 26.9.2018**

This complaint dated 05.12.2016 has been filed by Shri Shashi Kumar c/o Smt. Sushila J., Raibareli against the editor, Jansandesh Times alleging publication of false and frivolous news reports with intention to blackmail her in its issues dated 01.06.2016, 17.10.2016 and 25.10.2016 under the captions “एएनएमकेकारनामोंसेजनतापरेशान”, “धड़लेसेजारीहैएएनएमकागोरखधंधा” and “□ जीमकदमादर्जकरानेकीधमकी” respectively.

It is reported in the impugned news item dated 01.06.2016 that Smt. Sushila, Auxiliary Nurse Midwife (ANM) posted in Community Health Centre (CHC) is running a clinic at her Government accommodation and misusing the post held by her. She is challenging Health Departments by attending patients from whom she charges Rs. 100/- per patient. The ANM is using 102 ambulance staff for her illegal activities. Ambulance staff instead of taking patients to the doctor, take them to the ANM. Some people from that area have made complaint to the higher officials about her illegal activities but no action has been taken by them.

In the impugned news item dated 17.10.2016 it has been reported that Smt. Sushila is taking more interest in practicing as a doctor than her own work. In July, some-one has recorded video showing Smt. Sushila, ANM attending to patient as Doctor at her government accommodation and sent that CD to the higher officers but everything gets settled under the table. Alerted from CD recording she now has shifted her clinic to first floor of a chemist shop in the area.

It is reported in the impugned news item dated 25.10.2017 that an advocate supporting her has threatened the Superintendent of CHC that he will file a false case of eve teasing against the Superintendent because on the orders of Chief Medical Officer, the Superintendent of CHC has shifted the ANM from MSW to some other work.

Denying the allegations levelled in the impugned news items, the complainant has stated that the respondent has his medical shop and the Superintendent and some doctors have been insisting patients to buy prescribed medicines from respondent's medical shops on higher rates. He has further informed that a PIL was registered against Doctors of CHC, Kheron, Raibareli and Rajiv Medical Store for their illegal acts before the Hon'ble High Court of Lucknow in which Hon'ble Court has passed orders that strict actions be taken against them. He has further stated that respondents are under impression that this PIL was filed by Smt. Sushila and therefore they with malafide intention and also to blackmail her they have published impugned news reports. He has also stated that the respondent has video recording of his house and his wife is not feeling safe. The complainant vide his letter dated 05.12.2017 drew the attention of the respondent but no response has so far been received from the respondent.

A Show Cause Notice dated 14.07.2017 has been issued to the respondent for filing Written Statement.

### **Written Statement**

The respondent editor vide his Written Statement dated 09.08.2017 has stated that Proprietor of Rajiv Medical Store is Shri Pramod Kumar Singh and not him. His office is behind Rajiv Medical Store. He has further stated that false and baseless allegations were levelled against Rajiv Medical Store in order to stop publication of news items concerning her. He has denied that any CD has been made by him and stated that he has received the CD from someone and copies of CD have also been forwarded to the Chief Medical Officer, Raibareli and District Magistrate, Raibareli but Smt. Sushila by giving huge amount of money to them has got the matter settled. He has stated that the news item dated 01.06.2017 has been published on the basis of a complaint letter dated 30.05.2017 received from Shri Ashok Tiwari. He has further stated that the news item dated 17.10.2017 has been published on the basis of a complaint letter written by Shri Ravi Singh to Chief Medical Officer, Raibareli. He has also stated that besides his newspaper, the news was also published by other newspapers. He has stated that news item dated 25.10.2017 has been published on the basis complaint filed by Shri Umesh Chandra, CHC Superintendent to Police Station, Kheron and even this news was also published by other newspapers. He has requested the Council that the complaint is false and liable to be rejected by the Council.

Another letter dated 18.6.2018 has been received from the respondent Editor whereby he, while reiterating his submissions including the impugned news items, has submitted that the complaint filed against him is completely false. He has submitted that the wife of the complainant, Ms. Sushila along with other health workers has been transferred in wake of a petition filed in the Hon'ble High Court alleging corruption charges against them. He has requested to dismiss the complaint as allegations levelled against him are baseless.

A copy of Written Statement has been forwarded to the complainant on 22.09.2017 for Counter Comments/information.

### **Counter Comments**

The complainant vide his letter dated 14.12.2017 has filed his Counter Comments in the matter wherein he has stated that the respondent is misleading the Council as respondent himself is the owner of Rajiv Medical Store and after this complaint the respondent has shifted his office behind the Medical Store. He has further stated that if complaint filed by him is false then why respondent has not published any news regarding the then Superintendent of CHC, Dr. U.C. Verma. He has further stated that all other newspapers covered news about illegal activities of Dr. U.C. Verma but the respondent has not published any news against him as Dr. U.C. Verma operates all illegal activities from Rajiv Medical Store. He has also stated that due to publication of news about Dr. U.C. Verma in various newspapers, the Government has transferred him from Raibareli to Kannauj. He has stated that respondent in connivance with Dr. U.C. Verma has filed a PIL against his wife before the Hon'ble High Court of Lucknow which the Hon'ble Court has dismissed considering it proxy and issued notices to the respondent and Dr. U.C. Verma. He has further stated that according to rule prior permission of CMO/Superintendent is necessary for video recording of residence of female Health Worker but prior permission was not taken by the respondent and he has done this for blackmailing his wife. He has denied the allegation that his wife by giving money has settled the issue with the D.M., Raibareli and C.M.O., Raibareli. He has also stated that due to the respondent and others, his wife has to leave Government accommodation and is presently living 2 Km away from it. He has also stated that all the evidences/letters which the respondent in support of his publication has produced before the

Council are false. He has requested the Council to take stringent action against the respondent.

A copy of Counter Comments has been forwarded to the respondent editor on 02.01.2018 for information.

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

The matter came up for final hearing before the Inquiry Committee on 26.6.2018 at New Delhi. Mr. Shashi Kumar along with Mr. Raj Karan Singh, Advocate appeared for the complainant. There was no appearance on behalf of the respondent.

Despite Service of Notice, the respondent has not chosen to appear. It is the allegation of the complainant that the respondent newspaper had published false and frivolous news report against his wife who is working as ANM in a Community Health Centre. The respondent in its reply has stated that the impugned news item had been published on the basis of a letter written by one Shri Ravi Singh to the Chief Medical Officer, Raibareli and the complaint filed by Shri Umesh Singh before the Superintendent of the Community Health Centre. The Inquiry Committee has perused the complaint, the Written Statement and other connected papers and is of the opinion that before publishing the story, the respondent ought to have taken the version of the complainant's wife also. The Inquiry Committee directs the complainant's wife to furnish her version to the respondent newspaper within two weeks. The respondent newspaper is directed to publish the version given by the complainant's wife within two weeks thereafter and send a copy of the same to the Secretariat of the Council immediately thereafter. The Inquiry Committee disposes of the complaint with the aforesaid directions.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint with the aforesaid directions.

**Press Council of India**

Sl. No. 16

F. No. 14/135/17-18-PCI

**Complainant**

Smt. Fatima Nafees,  
138, Mohalla Vaidon,  
Tola, Badayun,  
Uttar Pradesh – 243 601.

**Respondent**

The Editor,  
Times of India,  
New Delhi.

**Adjudication dated 26.9.2018**

This complaint dated 21.05.2017 has been filed by Smt. Fatima Nafees through her Advocate Ms. Vrinda Grover against the Editor, Times of India alleging publication of false, defamatory and baseless news item in its issue dated 21.03.2017 under the caption “Najeeb searched for information on IS”.

It is reported in the impugned news item that a report on the browsing history of Najeeb’s laptop received by Delhi Police from Google and YouTube has revealed that in the months preceding his disappearance, Najeeb had been looking for information on Islamic State (IS) – ideology, executions and network. His Google searches included things like ways to join IS. Highly-placed sources claimed that most of the videos he watched on YouTube were also related to the Islamic State. These details, which have opened another line of investigations, have been submitted in the Delhi High Court.

It is further reported in the impugned news item that the first lead that cops pursued was they found that he was on medication for obsessive compulsive disorder from 2012. He was prescribed Flunil and Zolfresh which are used to treat depression, OCD and induce sleep. It is also reported that he was prescribed Lonazep that’s used to treat fits, panic attack and agoraphobia (fear of public places).

The complainant, mother of Shri Najeeb Ahmad, is deeply aggrieved by the publication of the news report. Her son, a student of JNU, enrolled in M.Sc Biotechnology and a resident of Mahi/Mandavi Hostel, Jawaharlal Nehru University, New Delhi has been missing since 15<sup>th</sup> October, 2016. A case of abduction is pending before the Sessions Court in Patiala House in relation to his sudden disappearance. The complainant further stated that on 21.03.2017, after the publication of news report by the Times of India, Mr. Dendra Pathak, Chief Spokesperson of the Delhi Police, held a press conference and categorically refuted the impugned news report and clarified that (a) Delhi Police has not received any such report from Google or YouTube about Najeeb Ahmed’s search history. (b) There has been no submission of any such report in the High Court, as claimed by the impugned article. (c) There is nothing in the Delhi Police investigation that could suggest any link of the missing student to the IS. She has also stated that a further denial of the impugned news report was issued by Mr. Madhur Verma, DCP, PRO, Delhi Police, in the form of a rejoinder, stating that in Delhi Police’s investigation there was nothing to suggest the Najeeb Ahmed accesses websites related to the IS, which was carried by the Times of India in page 5 of their Delhi edition.

The complainant vide letter dated 06.04.2017 sent a notice to the respondent requesting for an immediate retraction of the news article in all forms, an unconditional apology on the front page of the Times of India as well as on the homepage of its website and an undertaking that all reportage on the present case will be conducted in keeping with the principles and guidelines laid down by the Press Council of India.

In response thereto the respondent advocate replied vide letter dated 14.04.2017 in which he has stated that the contents of the Notice as contained in its various paragraphs are hereby strictly and specifically denied and refuted *in toto*. He has further stated that the news was published without any ill will or malice towards the complainant or anyone else. He has also stated that he has not alleged anything against the complainant and credit for the statement was given to the reliable source in Police. He has also stated that paper has immediately published rejoinder on 22.3.2017 when police clarified, which shows news was carried without any bias, ill will or malice or was published to defame the complainant or anyone.

A Show Cause notice was issued on 01.08.2017 to the Respondent Newspaper for Written Statement.

### **Written Statement**

The respondent vide his written statement dated 26.08.2017 has stated that the contents of the complaint as contained in its various paragraphs are hereby strictly and specifically denied and refuted *in toto*. He has further denied that the paper has offended or violated in any manner whatsoever, the professional norms of journalistic conduct, ethics or any other norms prescribed by the Press Council for which show-cause notice is issued under Section 5(1) of Press Council (Procedure for Inquiry) Regulations, 1979. He has also stated that the show-cause notice is uncalled for and is unwarranted and without any cause of action and is liable to be withdrawn.

He has stated that the news piece titled, “Missing JNU Students saw IS videos: Cops” was carried on the basis of information received from reliable sources by the journalist and it was published believing it to be true and without malice or ill will. The paper had immediately published rejoinder on 22.03.2017 when police clarified their position, which shows that the news was not published to defame the Complainant’s son or anyone.

A copy of Written Statement was sent to the complainant on 13.09.2017 for counter comments and information.

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

The matter came up for hearing before the Inquiry Committee on 26.6.2018 at New Delhi. Ms. Ratna Appender appeared on behalf of the complainant. Ms. Uma Bhushan Lohray represented the respondent newspaper.

The Counsel appearing on behalf of the complainant states that for the same news, which is the subject matter of this case, she has resorted to a criminal prosecution as also a civil suit for injunction and damages against the respondent newspaper. In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, disposes of the complaint.

### **Held**

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

**Press Council of India**

Sl.No. 17

File no. 14/229/17-18-PCI

<b>Complainant</b>	<b>Respondent</b>
Shri Shatrujeet Kapur, IPS Chairman cum Managing Director, UHBVN, Panchkula.	Shri Harish Khare, Editor-in-Chief, The Tribune, Chandigarh.

**Adjudication dated 26.9.2018**

This complaint dated 6.4.2017 has been filed by Shri Shatrujeet Kapur, IPS, CMD, Uttar Haryana Bijli Vitran Nigam (UHBVN) & DHBVN, Panchkula against the editor, The Tribune, allegedly for the publication of baseless news in its issue dated 11/12-12.2016 under the captions “Appointments in power sector raise questions and An NGO finds special favour with Khattar Govt.”.

It is reported in the impugned news item that Haryana BJP Government’s move to appoint experts from a non-governmental organization as Directors in the State owned Boards and Corporations has raised eyebrows. It is reported that Shri Balram Nandwani, Trustee and Chairman of Global Village Foundation (GVF) is working as an independent Director of the UHBVN and is also Chairman of the Audit Committee. CM’s media advisor when contacted said that Global Village Foundation (GVF) comprises a group of selfless professionals who are helping various State Governments in formulating policy. They have also helped the Central Government on certain matters and working with the Haryana Government in their respective areas of specialization. The second news item reported that NGO GVF’s trustee and Chairman Shri Balram Nandwani’s appointment as an Independent Director in the UHBVN raises several questions as he is also a Director at Ranital Hydro Ventures Private Limited. The News reports stated that the State’s Power Department is headed by Chief Minister and no appointment can be made without his consent. The news item also states that there have been political rumblings ever since the CM appointed the complainant, who is an IPS Officer, as the Chairman-cum-Managing Director of UHBVN and also as the Chairman of DHVBN. It is further reported that one man (complainant) now occupies the slots that would normally go to three IAS Officers.

Denying the fact reported in the impugned news item, the complainant submitted that the said news item alleged conflict of interest in matter relating to power purchase in the State of Haryana because of the appointment of Shri Balram Nandwani as an independent Director in Uttar Haryana Bijli Vitran Nigam (UHBVN). These allegations are factually wrong and false as UHBVN does not purchase power at all and purchase of power is looked after by Haryana Power Purchase Centre, which is an independent entity and functions under the Steering Committee for power planning. The complainant also stated that the respondent made false averments with regard to the power purchase in the State of Haryana and out of context references to the complainant by name. The complainant vide letter dated 29.12.2016 drew the attention of the respondent towards the impugned publication and requested him to publish clarification, but received no response.

A Show Cause Notice was issued to the respondent editor, The Tribune, Chandigarh, on 14.9.2017.

### **Written Statement**

Shri Harish Khare, Editor-in-Chief, The Tribune, vide Written Statement dated 16.10.2017 has informed the Council that the impugned news item was certainly based on various journalistic inputs including the charges levelled by Haryana's opposition leaders and has the reaction of Media Advisor to Chief Minister Mr. Amit Arya and the ruling BJP's own state President Mr. Shubash Barala. Further, the respondent editor cited whatsapp conversation to be the version of the complainant before publishing the news. He has submitted that the complainant himself occupies 3 out of 8 positions in the Haryana Power Purchase Centre being the Chairman of one power corporation and MD of other (UHBVN and DHBVN) and can single handedly influence the decision. As far as appointment of Independent Director, Mr. Balram Nandwani is concerned, he submitted that he has been Director of Ranital Hydro Ventures (Power Supplier) for two months even after appointing as Independent Director of UHBVN, which establishes a direct clash of interest between suppliers and Mr. Nanwani. He has further submitted that even after being appointed as Independent Director of UHBVN in June 2015, Mr. Nandwani continued to remain the CA OF M/S Mittal Processors (Power Supplier). The respondent has requested the Council to dispose of the matter.

A copy of the written statement was forwarded to the complainant on 9.11.2017 for counter comments.

### **Counter Comments**

Shri Shatrujeet Kapur, IPS, Chairman cum Managing Director, UHBVN, vide Counter Comments dated 8.12.2017 has informed the Council that the respondent editor has not given satisfactory reply in response to his complaint. As regard the appointment of an independent Director, Shri Balram Nandwani, on the board of UHBN (Uttar Haryana Bijli Nigam) is concerned, it is submitted that no independent director posted in any Power Utility, including UHBVN, holds any position in HPPC(Haryana Power Purchase Centre) and SCPP(Steering Committee for Power Planning). Shri Balram Nandwani does not hold any position in above stated entities. He has further submitted that whether he (Independent Director) had past association with M/s Mittal Processor as Chartered Accountant that is not their point of concern. The complainant further submitted that the correspondent never approached UHBVN or HPPC to verify their allegation instead he has taken plea of whatsapp messages to prove the fact that the he asked about his version before publication of the news, which is not the proper channel of communication. He has submitted that he had filed a complaint with the Press Council on 28.9.2015 against the correspondent, Shri Naveen Grewal, for publishing a malicious news and in result, the Council in its Order dated 9.9.2016 directed the Tribune to publish a clarification with the same prominence as the impugned news item. However, the respondent did not comply with the said direction for more than one year. As regard the impugned news item under caption "One IPS Officer in place of 3 IAS Officer" is concerned, the complainant has not received satisfactory reply from the respondent editor. Further, the complainant has requested the Council to take strict action against the respondent editor for targeting public servants.

A copy of the Counter Comments was forwarded to the respondent on 9.1.2018 for information.

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

The matter came up for hearing before the Inquiry Committee on 26.6.2018 at New Delhi. Mr. Ravi Tuneja, Assistant Executive Engineer appeared on behalf of the complainant. Mr. Amit Sharma, Head-legal, Admin represented the respondent newspaper.

Mr. Ravi Tuneja, Assistant Executive Engineer appears on behalf of the complainant. He is unable to explain what exactly is the grievance of the complainant. Mr. Amit Sharma appears on behalf of the respondent. In view of the aforesaid, the Inquiry Committee dismisses the complaint.

**Held**

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

## Press Council of India

Sl. No. 18

F.No. 14/180/17-18-PCI

### Complainant

Mrs. Kunti Patel  
Bilaspur,  
Chhattisgarh.

### Respondent

The Editor,  
Dainik Bhaskar,  
Bilaspur, Chhattisgarh.

### Adjudication dated 26.9.2018

This complaint dated 10.8.2017 has been filed by Smt. Kunti Patel, Bilaspur, Chhattisgarh against the "Dainik Bhaskar", Bilaspur, Chhattisgarh alleging publication of fabricated news items under the captions "आईटीआईमें जीभर्ती:महिलाअ सरकारएसआईटीपरआरोप – रसूखदारोंकोबचानेकाखेल,सचिवकोसबूतदूंगी" and "आईटीआईमें ७२३पदोंपर जीभर्तीकेदोषियोंकेनाममहीनोंबादनहींआएसामने" in its issues dated 10.5.2017 and 9.8.2017 respectively.

It has been published in the impugned news items that SIT team, constituted two years back for the investigation of fake recruitment to fill up 723 seats has come under scanner now. Mentioning the complainant's name, the newspaper has reported that she (the Trainee Officer) has written a letter to the Principal and along with an endorsement to the Collector in this regard wherein the complainant alleged that the names of the culprits have not been exposed by the SIT even after months and sought permission to place the facts before the Secretary. It has been further reported that the complainant has evidence against the SIT and she will expose the name of the officers before the Secretary. She has also made allegation against the SIT team for conspiring to protect the influentials.

While denying the news reports, the complainant submitted that the news reports are manipulated and false. She has objected to her name mentioned in the impugned news item without her permission. According to her, she is posted as Trainee officer, Aadarsh Shashkiya ITI, Bilaspur on deputation and a phone call was received by her on 9.5.2017 on behalf of the respondent newspaper for enquiring about her application for seeking permission from the Principal. Her husband informed the respondent (caller) to meet on next day as they were attending a marriage party. However, next day the news was published without taking her version.

The complainant drew the attention of the respondent on 11.8.2018 and sought all documents as proof for the said news item but no response has been received. The complainant requested to take action against the respondent.

Show-cause Notice was issued to the respondent editor, Dainik Bhaskar, Chhattisgarh on 15.9.2017.

### Written Statement

The respondent vide undated written statement, received in the Secretariat on 16.10.2017, while forwarding transcribed discussion held on mobile between the complainant and their correspondent along with audio-recording DVD, has submitted that as per the discussion, the complainant herself has given complete information of the said news and

permission to publish the same at her own will and later on filed the false complaint. He has requested the Council to take no action on false complaint.

A copy of the written statement was forwarded to the complainant for counter comments on 30.10.2017.

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

The matter came up for hearing before the Inquiry Committee on 23.7.2018 at Bhopal. Shri Chandrika Prasad Patel appeared on behalf of the complainant. There was no appearance on behalf of the respondent paper.

The complainant alleges that the news item published in the respondent newspaper about the illegal recruitment of 723 persons in the ITI is false and concocted. Shri Chandrika Prasad Patel, who appears on behalf of the complainant states that the recruitment is not illegal. The Inquiry Committee is of the opinion that legality or validity of the appointment is not the subject matter of this inquiry. There were allegations regarding the recruitment in the ITI and on the basis of that the respondent newspaper has published the news. The Inquiry Committee is of the opinion that the respondent newspaper while publishing the news has not committed breach of any journalistic ethics so as to call for action.

The Inquiry Committee accordingly recommends for dismissal of the complaint.

### **Held**

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

**Press Council of India**

**Sl.No. 19**

**F.No. 14/407-409/17-18-PCI**

**Complainant**

Dr. Anil Kumar Dubey,  
River View Colony,  
Koni, Bilaspur, Chhattisgarh.

**Respondent**

1. The Editor,  
Hari Bhoomi  
Hari Bhoomi Press,  
Gaurav Path, Bilaspur.
2. The Editor,  
Chronicle,  
Nav Bharat  
Bhawan,  
Bilaspur
3. The Editor  
The Hitavada  
The Hitavada Press,  
Avanti Vihar, Raipur.

**ADJUDICATION**

**Dated: 26.9.2018**

This complaint dated 25.11.2017 has been filed by Dr. Anil Kumar Dubey, from Bilaspur, Chhattisgarh, against (i) Hari Bhoomi; (ii) Central Chronicle and (iii) The Hitavada alleging publication of defamatory news items against him as per details given herein below:

<b>Sl. No.</b>	<b>Newspapers</b>	<b>Caption</b>	<b>Brief</b>
1.	Hari Bhoomi, issue dated 5.10.2017	Raat main chatra ko phone par pareshan karta tha teacher, CU ne dikhaya bahar ka raasta.	It reports that a complaint against an adhoc teacher of Law Department of Guru Gashidas Central University for disturbing female students by calling them at midnight has come into the forefront as few of the students have taken the matter to the Vice-Chancellor of the University. Dr. Anjila Gupta, who on Wednesday went for an surprise inspection as per the complaint and inquired the matter from few other students of the law department. Afterwards called the accused adhoc teacher and terminated his service. It has also been stated in the news item that the accused name is Dr Anil Kumar Dubey who earlier was also accused of same offence. Students who had suffered because of the unpleasant activities of Dr Anil Kumar Dubey, shared the matter with fellow classmates and it is with the help of the student union that a complaint was filed with the Vice-Chancellor of the University. The allegation is whenever Dr Dubey was approached by the female students for academic guidance. Dr Dubey used to ask for their mobile numbers assuring them that he will call them to clarify their doubts. Instead he used to call them in the night and

			allegedly used obscene languages. This incident had happened earlier also but was ignored by the University to dish out the charges and save University's reputation.
2.	Chronicle, issue dated 6.10.2017	Ad-Hoc teacher in CU terminated for calling up girls late night.	Ad-hoc teacher from Law Department of Guru Gashidas Central University has been terminated by the Vice-Chancellor Anjila Gupta after receiving the complaint from the student of Law Department of the institute investigated the matter personally and terminated Dr Dubey for his inappropriate approach of calling the students in the night and using offensive languages. A similar complaint against Dr Dubey was also received by the VC earlier inspite of that Dr Dubey was reappointed to the Ad-hoc post but this time his term was terminated without delay.
3.	The Hitavada, issue dated 6.10.2017	Ad-hoc teacher terminated after complaints.	This news item starts as follows - a case of harassment of girl students of Law Department of Guru Gashidas Central University by an ad-hoc teacher over phone around midnight has come to light. Hence, the teacher has been thrown out of his service from the Institute by the VC. Who after investigating the matter had taken such decision.

The complainant submitted that all the allegations made against him in the impugned news items are false, fabricated and defamatory in nature as he was appointed as an Assistant Professor in the Department of Law, Guru Gashidas Central University, Bilaspur, from last two years on adhoc basis for which appointment is made for a term of six months each and he was released from service on 4.10.2017 on the ground that “ presently there is no need of his service” . Hence the allegation levelled and published against him are fabricated and highly defamatory to his reputation.

The complainant further submitted that a legal notice has been issued to the newspapers to publish corrigendum/apology on the front page of their newspaper within 7 days of receiving the notice but he did not receive any response on the same.

The complainant requested the Council to direct the newspapers to publish the corrigendum/apology on the front page of their newspaper and Censure them for offending against the standard of journalistic ethics and public taste.

**Written Statement filed by Hitavada**

In response to the Show Cause Notice dated 3.1.2018 the Hitavada vide letter dated 27.1.2018 submitted in its written statement that Hitavada never violated any journalistic norms as the facts they had published were true and verified. In the process of publishing truth in good faith and in public interest, it may hurt sentiments of some people which is not intentional. Particularly, in this matter the newspaper does not have any personal grudges against the complainant and the fact given in impugned news item are true in nature as the complainant had been issued a immediate termination by the University even after remaining in adhoc position from 11.8.2015, conveys that such termination has come due to emergency. Also after receiving the notice from the complainant the Hitavada requested the

complainant and his Counsel to produce factual documents to justify their stand/objection that as to why the news item alleged to be a fabricated news and on the basis of the submitted documents by the complainant the newspaper, a clarification would be published. But they did not receive any reply from the complainant.

The Hitavada has requested for dismissing of the complaint.

A copy of the written statement was already forwarded to the complainant by the respondent.

#### **Written Statement filed by Chronical**

In response to the Show Cause Notice dated 3.1.2018, Central Chronical vide letter dated 22.1.2018 submitted that the questioned news item was published by other leading dailies also and on receiving the legal notice from the complainant they have asked for providing documents that would justify the complainant's objection to the impugned news item. No reply was received. Sudden termination of a Professor from *ad hoc* post in mid of the year certainly raises suspicions and proves that some major issue must have led to such drastic decision by the University.

A copy of the written statement was forwarded to the complainant on 23.2.2018.

#### **Written Statement filed by Hari Bhoomi**

In response to Show Cause Notice dated 3.1.2018, Hari Bhoomi vide its letter dated 7.2.2018 submitted that the facts published in the alleged impugned news items were verified from the staff and students of the University concerned before reporting and hence the report is true and not fabricated. It further submitted that the University, in all it might and capabilities, has tried to hush the matter as it may have brought disrepute to the University. It has also stated that the University instead of taking severe action against such teacher has just terminated his services on the basis of being an *ad hoc* appointee. Hari Bhoomi also stated that they have a copy of the complaint submitted by the girls, being harassed by the complainant to the concerned authorities and the newspaper infact had bravely voiced these girls who were otherwise being ignored by the University.

A copy of written statement was forwarded to the complainant on 27.2.2018.

#### **Counter Comments of the Complainant**

The complainant vide its letter dated 13.2.2018 informed that the response to the Council's Show Cause Notice by the Hitavada and Central Chronicle are same. And Hari Bhoomi did not submit any reply statement. The complainant added that instead of giving concrete evidence of the news under consideration, the respondents are trying to justify their stand on the ground that other newspaper have also published the matter. The complainant also denied of receiving any response from Chronicle and Hari Bhoomi.

#### **Hearing of the Inquiry Committee on 23.7.2018**

The matter came up for hearing before the Inquiry Committee on 23.07.2018 at Bhopal. The complainant appeared in person whereas Shri Bhupesh Upadhyay, Advocate representing Shri Pamod Bhardwaj, Resident Editor, Haribhoomi, Shri Kranti Kumar Sharma, Advocate, Raipur and Shri Prasun Chatterjee, Bureau Chief, the Hitavada appeared before the Inquiry Committee. The counsels appearing on behalf of the respondents pray for time to produce the materials which justify the publication of the impugned news item. The matter is adjourned and listed for tomorrow.

### **Recommendation of the Inquiry Committee**

The matter again came up for hearing before the Inquiry Committee on 24.7.2018. Complainant was present in person. The respondent newspapers were also represented.

The complainant was an adhoc teacher in the Department of Law of Guru Gashidas Central University, Bilaspur. It is an admitted position that he was relieved from the service. He is aggrieved by the news items published in the respondent newspapers wherein it has been stated that his service was terminated for calling up the girls at late night. Complainant appears in person and submits that the University while relieving him from service has nowhere stated that he has been relieved on the ground that he was harassing the girls and therefore the news items published in the respondent newspapers are absolutely false. The respondents have filed their written statement and produced before the Inquiry Committee an audio recording of the conversation between the complainant and one girl student of the University. The Inquiry Committee has bestowed its consideration to the rival contention and is of the opinion that there were materials before the respondents newspapers to publish the news. The complainant, if so advised, may give his version to the respondents within two weeks and in case if he does so the respondents shall publish the same after necessary editing without unnecessary delay. The Inquiry Committee dismisses the complaint with the aforesaid directions.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dismiss the complaint with the directions to parties.

**PRESS COUNCIL OF INDIA**

Sl. No. 20

File No. 14/155/17-18-PCI.

Shri Manoj Jain,  
Factory Manager,  
SRF Ltd.,  
Dhar, Madhya Pradesh

Vs

The Editor,  
Sandhy Dainik 6 PM,  
Indore, M.P

**Adjudication dated 26.9.2018**

The Complaint dated 22.07.2017 has been filed by Shri Manoj Jain, factory Manager, SRF Ltd., Dhar (M.P.) against the editor, Sandhy Dainik 6 PM, Indore alleging publication of false and defamatory news under the caption "एसआरएफकंपनीकेमजदूरकीगलाकटनेसेमौतकादोषीकौनहै" in its issue dated 24.05.2017.

It is reported that on 11.05.2017 due to strong wind, the metal sheet of the temporary huts of some workers blew away slitting Shri Sahdeep Rai's neck and causing his death. It is also reported in the impugned news item that the government machinery works under the influence of big businessmen as they are exploiting workers and if any workers raise their voice then police and others, who are in power teach them a lesson. There has always been attempt to suppress such incident of workers death.

Denying the allegation levelled in the impugned news item, the complainant submitted that the respondent has not verified the news before its publication. He has further submitted that neither there are any temporary huts provided by the company nor any worker named, Shri Sahdeep Rai is working with them. The wrong news was published by the respondent with an intention to malign the image of their esteem organisation. According to the complainant, the respondent has done an act of criminal negligence by stating such non existing detrimental facts, enough to tarnish their reputation which they have obtained for their good work and welfare activities. The complainant vide letter dated 27.5.2017 drew the attention of the respondent with a request to publish unconditional apology with same prominence, but no response has been received by the complainant.

A Show Cause Notice was issued to the respondent on 11.09.2017 for written statement in the matter.

**Written Statement**

The respondent editor vide letter dated 24.9.2017 while denying the allegations has informed that the news was based on the facts and provided by investigating Officer, Shri B.L. Chauhan, Sub Inspector, Police Station Bagdun and the same has been authenticated by the Superintendent of Police, Shri D.K. Tiwari. He has further submitted that the deceased's son has accepted compensation of Rs.80, 000 by the company. On the day of the incident, the said worker, Shri Sahdeep Rai, was taken to the hospital by the supervisor of the company, who tried to influence the media and stayed in the hospital till the post-mortem took place. The respondent has also sent a C.D. in support of his contention.

A copy of the written statement was forwarded to the complainant on 17.10.2017 for information/counter comments.

**Communication from the respondent Editor**

The Editor, Sandhy Dainik 6 PM vide letter dated 22.7.2018 has requested the Council not to proceed in the matter any further as the complainant, Mr. Manoj Jain has agreed to settle the matter amicably.

**Communication from the complainant**

The complainant vide letter dated 20.7.2018 has informed the Council that the matter has been settled between the parties and he does not want to proceed in the matter any further and requests to dismiss the matter.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 23.7.2018 at Bhopal. Neither the complainant nor the respondent appeared before the Inquiry Committee.

No body appears on behalf of the complainant. The Inquiry Committee has perused the complaint, the Written Statement and all other connected papers and finds no substance in the grievance of the complainant. The Inquiry Committee, accordingly, recommends for the dismissal of the complaint.

**Held**

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

## **Press Council of India**

Sl. No. 21

F.No. 14/230/17-18-PCI

### **Complainant**

Shri Arun Sharma,  
24, Vivekanand Colony,  
Ujjain, Madhya Pradesh.

### **Respondent**

The Editor,  
DabangDuniya,  
307, Shalimar Corporate Centre, 8,  
Tukoganj,  
Distt. – Indore – 452 001,  
Madhya Pradesh.

### **Adjudication dated 26.9.2018**

This complaint dated 05.09.2017 has been filed by Shri Arun Sharma, Ujjain against the Editor, Dainik Dabang Duniya alleging publication of false and fabricated news item regarding an IAS officer, Ms. Rani Bansal with the intention to blackmail her in its issue dated 06.05.2017 under the caption “प्रशिक्षुआईएसऔरएसडीएमकारवैयापि रचर्चाओंमें”.

It is reported in the impugned news item that attitude of Ms. Rani Bansal, SDM, Ujjain and trainee IAS posted in the district has once again become topic of discussion. It is further reported in the impugned news item that lawyers of district court are annoyed with her rude behavior as she misbehaves with senior advocates during hearings. There is resentment in the Advocate Association and they will soon complaint about this to the Collector. The impugned news further questions her power to render decision as she (Ms. Rani Bansal) is a trainee officer.

The objection of the complainant is on the tone and tenor of the presentation of facts in the news item. According to the complainant, when the SDM did not come under the influence of the respondent reporter and Shri Choubey, they maligned her image and threatened her by publishing such false news.

The complainant vide letter dated 29.09.2017 drew attention of the respondent towards the impugned news item and requested to publish the rejoinder but received no response.

### **No Written Statement**

A Show Cause Notice was issued to the respondent editor on 30.10.2017 for Written Statement, but no response has been received.

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

The matter came up for hearing before the Inquiry Committee on 23.7.2018 at Bhopal. Shri Arun Sharma, the complainant appeared in person. Dr. Vishal Singh Hada, Editor represented the respondent.

This complaint has been filed, *inter-alia*, alleging that the news of “the trainee IAS Officer and SDM conduct under discussion”, is false. The Inquiry Committee has heard the complainant and has perused the record and finds no substance in the grievance of the complainant. The Inquiry Committee accordingly recommends for dismissal of the complaint.

**Held**

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

**Press Council of India**

Sl. No. 22

F.No.14/452/17-18-PCI.

**Complainant**

Shri Arun Sharma,  
24, Vivekanand Nagar,  
Ujjain (M.P.).

**Respondent**

The Editor,  
Dabang Dunia,  
Indore-452 001 (M.P.)

**Facts**

This complaint dated 20.1.2018 has been filed by Shri Arun Sharma, Ujjain (M.P.) against "Dabang Dunia" for allegedly publishing false and misleading news item in its issue dated 6.11.2017 under the caption "पत्रकारोंकेलिएभूखंडवमकानकीसौगात" (Gift of land and accommodation for the journalists).

It was reported in the impugned news item that the Society for Press Club Ujjain has decided to provide land and accommodation to the fourth pillar of democracy on the cheapest rates during this period of cost inflation. The names of the guests and journalists were also published in the impugned news item. The complainant alleged that many names of the journalists referred in the impugned news item are not engaged in the profession of journalism and these persons with a view to mislead and frighten the society show themselves to be journalist.

In another news item dated 16.6.2017, it has been reported that Dabang Dunia has advertised in its paper for recruitment of 10 Reporters, Five Sub-Editors, Five Photographers and five Marketing Executives but after advertisement, no recruitment was done. Such news has been published to mislead the society. According to the complainant, few members of the Press Club have constituted their separate Press Club due to wrong doings of the society for Press Club, Ujjain. Annoyed with this, Shri Vishal Singh Handa, President of Press Club (also Regional Editor of Dabang Dunia) with a view to brighten up his image in the public published the impugned news. The complainant submitted that the respondent-newspaper earlier also published an advertisement in its issue dated 16.6.2017 seeking staff for Dabang Dunia but no selection was made.

The complainant drew the attention of the respondent on 7.3.2018 but to no avail. He has requested the Council to investigate the matter.

**No Written Statement**

Show-cause Notice was issued to the Editor, Dabang Dunia, Indore on 13.4.2018 but no response has been received despite issuance of reminder dated 2.7.2018.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 23.7.2018 at Bhopal. Shri Arun Sharma, the complainant end. Dr. Vishal Singh Hada, Editor, Dabang Dunia appeared before the Committee.

The Inquiry Committee has heard the complainant and the Editor of the Dabang Dunia. The Inquiry Committee has perused the complaint and finds no merit in the grievance of the complainant. The Inquiry Committee accordingly recommends for dismissal of the complaint.

**Held**

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

**Press Council of India**

S.No. 23

File no. 14/156/17-18/PCI

Complainant	Respondent
Shri Abdul Rehman Madni, Khandva, Madhya Pradesh.	The Editor , Khabar Expose, Weekly Newspaper, Khandva, Madhya Pradesh.

**ADJUDICATION**

**Dated: 26.09.2018**

This complaint dated 6.6.2017 has been filed by Shri Abdul Rehman Madni, Khandava, Madhya Pradesh, against “Khabar Expose”, Madhya Pradesh, allegedly for publication of baseless and defamatory news item under the captions:

S.No.	Caption	Dated
1	भाजपानेतामदनीनेडुबाएपैसे,कर्जादेनेवालेलगारहेचक्कर।	4.6.2017
2	अडीबाज,ब्लैकमेलररहमानमदनी।	11.6.2017
3	खंडवावालो ! संभलकररहना,झूठीआवाजरिर्कोर्डिंगकरकेब्लैकमेलकरनेलगेगाये। जीभाजपानेताअ बदुलरहमानमदनी।	11.6.2017
4	कवचेपरआरोपलगाकरलाखोरुपयेऐठनाचाहताथारहमान।	11.6.2017
5	रहमानमदनीबहुतबड़ा। जीहैमेरेलेटरपेडकाकियादुरुपयोगव्यवहारमेछोड़ावरनाकरा ताए। आईआर – वाहिदकुरैशी।	25.6.2017
6	42 लाखकेलिएधमकानेवालेमास्टरमाइंडभाईजाकिरकोबचानेरहमाननेरचीथीसाजिश।	16.7.2017
7	घरकेअंदरछिपारहाब्लैकमेलररहमानमदनी,पुलिसलगातीरहीचक्कर।	16.7.2017
8	अडीबाजब्लैकमेलररहमानमदनीनेछपवाए। जीपेडचमकानेकेलिएलिखेलेटर।	16.7.217
9	420 बहुरूपियारहमानमदनी	16.7.2017
10	अडीबाज,ब्लैकमेलरसेभाजपानेकियाकिनारा।	17.9.2017

The series of impugned news items while referring the complainant as a blackmailer, report that Shri Rehman Madni (complainant) has not been returning money borrowed from innocent people and made false assurance to them. It has been alleged in the impugned news items that the BJP leader, Shri Abdul Rehman under the protection of ruling party has been threatening and blackmailing the City Magistrate by making fake audio tape. The complainant demanded forty two lakh rupees from City Magistrate, who alleged to have been involved in bribe case. The fake audio recording has been forwarded to the laboratory for investigation. According to the news reports, only purpose of the complainant is to blackmail and defame the prominent officers. Even the person (Shri Imran), who is allegedly speaking

with City Magistrate in the fake audio tape, has denied having such conversation. It has been reported that the Police is searching the complainant for taking his statement in other matter but the complainant has been hiding himself. The BJP leaders and BJP have sidelined the complainant due to his illegal activities.

Denying the allegations levelled in the impugned news items, the complainant has alleged that the respondent-editor, Shri Sheikh Wasim has tarnished his image in the society by publishing false baseless and defamatory news items against him. The complainant has further alleged that the respondent-editor has demanded Rs. 5,000/- in the name of advertisements and on denying, the respondent threatened him that he would publish news items against him if said amount is not paid. The complainant has also alleged that the respondent-editor, who pose himself as a supporter of a Minister, is habitual of publishing baseless and defamatory news items. The complainant has submitted that he had filed a petition in the court in this matter. The complainant vide letter dated 10.6.2017 drew the attention of the respondent editor but no response has been received.

Show Cause Notice dated 17.10.2017 was issued to the respondent editor, Khabar Expose.

### **Written Statement**

The respondent editor vide his written statement dated 26.10.2017 while denying the allegations levelled in the complaint has informed that the impugned news items published in his newspaper are completely based on the facts and all the allegations in the complaint are baseless and false. He has further submitted that the complainant filed a complaint in Police Station Khandwa and the Superintendent of Police in his investigation has found that the allegations are false. The respondent requested the Council to dismiss the complaint.

A copy of the written statement dated 28.11.2017 was forwarded to the complainant for information.

### **Counter Comments**

The complainant vide counter comments dated 12.12.2017 and 23.12.2017 while reiterating his complaint has informed the Council that he filed a petition against the respondent editor Under Sections 384 & 500, IPC, in the Court which was rescinded later. Later, he filed another petition in Session Court and a Notice was issued to him accordingly (respondent). He has further submitted that the registration of the newspaper is under suspicion as the RTI revealed that the newspaper issues have not been submitted in office of the Public Relations Department since 4<sup>th</sup> June, 2017. He has further submitted that the respondent editor is trying to mislead the Police by filing false complaint against him. He has requested the Council to take strict action against the respondent editor.

A copy of the counter comments was forwarded to the respondent editor on 2.1.2018 for information.

### **Recommendation of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 23.07.2018 at Bhopal. The complainant appeared in person and Shri Sheikh Wasim, Editor, Khabar Expose is also present before the Inquiry Committee.

The Inquiry Committee has heard the complainant and the respondent and also perused the petition of complaint, the written statement and other connected papers. The Inquiry Committee is of the opinion that there may be materials for the news but the language used is unethical and therefore reprehensible.

The Inquiry Committee accordingly directs the respondent newspaper to be careful in future. The Inquiry Committee, accordingly, recommends for disposal of the complaint with the aforesaid observation.

**Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint with the aforesaid observations against the respondent newspaper.

**Press Council of India**

**Sl.No. 24**

**F.No. 14/398-399/17-18-PCI**

**Complainant**

Dr B.L. Yadav  
Sr. Lecturer  
Siksha Mahavidyalaya, Gwalior

**Respondent**

The Editor  
Pulkit Today Weekly  
&  
Surbhi Bharat  
Gwalior, M.P.

**ADJUDICATION**

**Dated: 26.09.2018**

This complaint dated 26.11.2017 has been filed by Dr B.L. Yadav, Sr. Lecturer, Siksha Mahavidyalaya, Gwalior against the Editors of the Pulkit Today – Weekly Newspaper and Surbhi Bharat Patrika for publishing false and defamatory news regarding his promotion to tarnish his reputation.

The respondents newspapers are accused of publishing untrue facts and making baseless comments in the matter of promotion of the complainant in its issues as detail herein below:

<b>Sl. No.</b>	<b>Caption</b>	<b>Issue dated</b>	<b>Newspaper</b>
1.	<i>Sa. Siksha Mahavidyalaya main yojnabadh tareeke se padunneti dene ki taiyari.</i> (Schematic Promotions are being carried out at Sa. Siksha Mahavidyalaya)	16.01.2017	The Pulkit Today – Weekly Newspaper
2.	<i>School siksha vibhag aapne adhinasth karmachariyo par karwahi karne main lachar.</i> ”(School Education Department inept in taking strict action against its subordinate staff)	30.04.2016	The Pulkit Today – Weekly Newspaper
3.	<i>Sebanibrith pracharya ka hua sthanantaran.</i> ”(retired Principal got transferred),	5.08.2017	The Pulkit Today – Weekly Newspaper
4.	<i>School Siksha Vibhag aban Madhya Pradesh sasan dabang adhikari par karwahi karne main asamarth.</i> (School Education Department and M.P. Government is unable to take strict action against the dominant group)	May 2017	Surbhi Bharat
5.	<i>Sa Siksha Mahavidyalaya main yojnabadh tareeke se padunneti dene ki taiyari,</i> (Preparation for schematic promotion in Swa. Siksha Mahavidhyalaya).	May 2017	Surbhi Bharat
6.	<i>Siksha Vibhag main ho sakte hain ayese ajube ki ek hi yakti ek hi samay main do alag alag shehro ba do alag alag sansthao main ek hi samay main upasthiti darjkara sakta hain. Magar kaisay iska jawab kisike pas nahi hain</i> ” (strange thing happened in the Education Department, one person present at two different towns, holding two different posts at he same time, no one has any answer)	May 2017	Surbhi Bharat

The impugned news items state that Mr B.L. Yadav is an influential person, that even the Education Department of the State Government works according to the whims and fancies of Mr Yadav. An example stating the same can be traced back to August 2012 when a leading daily of M.P. published a news item captioned “*ek hi din main promotion aur fir wahi posting*” (*promotion and posting on the same day*) criticising promotion and new posting of Mr B.L. Yadav on the same day. It further states that the news item of August 2012 intended

to inform the State Administration about the ongoing unreasonable practices of the Education Department but State has turned a deaf ear to the appeals. On top of it, Mr. B.L. Yadav in a fraudulent manner has been enlisted at the 62<sup>nd</sup> position from 119<sup>th</sup> in the seniority list of Lecturers and he is to be promoted as Assistant Professor at the cost of other deserving candidates. It has been stated that in 2011 when Mr. Yadav was promoted he did not take over the charge in the Institute, his promotion stood null and void and at present his name has been listed at the top to ensure that he gets promoted as Assistant Professor.

Refuting the facts presented in the impugned news item, the complainant submitted that the respondent had used the letterpad of "Pulkit Today" to file complaints against him to the D.M. Gwalior, C.M. Helpline and the Collector, Gwalior alleging that Mr Yadav has been promoted fraudulently and on the basis of those complaints has published the impugned news items which shows paper's mal-intention to defame him through columns of their newspapers.

The complainant has issued notice to the Chief Editor of the Pulkit Today – Weekly Newspaper and Surbhi Bharat Patrika on 16.11.2017 demanding publication of a clarification in their respective editions but no response was received.

The Show Cause Notice was issued to the respondent editor, Pulkit Today and Surbhi Bhara on 08.02.2018.

#### **Reply Filed by the Respondents**

In response to the Show Cause Notice, a reply dated 23.2.2016 has been filed by the respondent editor, Shri Brijesh Chaturvedi who while giving reference to a news item published on 2.8.2012 captioned "*ek hi din main promotion aur fir wahi posting*" (promotion and posting on the same day), submitted that the news item was published after thorough research against the complainant. It has also been stated that the respondent went to Siksha Mahavidyalaya to get the version of Dr. B.L. Yadav and the Principal. However on meeting, Dr B.L. Yadav did not reveal his identity to the respondent and mentioned that Dr Yadav is on leave and hence due to non-cooperative attitude of the complainant the respondent could not take his version. He further claimed that Dr Yadav has also tried to bribe him to stop him from publishing the truth but the respondent did not stop and as a result he has been continuously receiving threats from Dr Yadav. The respondent had filed a complaint with the C.M. Helpline but till date no remedial action has been taken. Dr Yadav has continuously been trying to influence the witnesses who are familiar with the truth. The respondent further claims that Dr Yadav is misleading the Council by presenting concocted facts. He informed that he has replied to the notice of Dr Yadav and claims that Dr Yadav's submissions are false. The respondent has requested the Council to take necessary action against the complainant for creating pressure on the press, trying to bribe and threaten the press person.

A copy of the written statement was forwarded to the complainant on 23.2.2018.

### **Counter Comment of the Complainant**

Vide letter dated 3.5.2018 the complainant submitted that he had never been approached by the respondent to take his version and claims that respondent is lying to defame him. He further stated that the impugned publication was carried out to tarnish the complainant's reputation. He has also claimed that inappropriate language has also been used against the complainant in the news items and all the claims made by the respondent editor are false and baseless. He, therefore, requests the Council to take necessary action against the respondent editor.

A copy of the counter comments was forwarded to the respondent on 23.5.2018.

### **Further comments of the complainant**

The complainant vide further comments dated 24.07.2018 while reiterating the complaint has submitted some documents in his support and requested to take action against the respondent so that other public servant like him may not be suffered in future.

### **Recommendation of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 24.7.2018 at Bhopal. The complainant appeared in person whereas Shri Brijesh Chaturvedi and Shri Ravi Kumar, editor of both the respondent newspapers appeared before the Inquiry Committee.

The complainant is aggrieved by a series of stories published against him in the respondent newspaper. The Inquiry Committee has perused the complaint, the written statement and all other connected papers and is of the opinion that respondents have basis for publication of the story. Grievance of the complainant is that before publishing the story, the respondents have not given any opportunity to put forth his version. In answer thereto, the respondent states that in fact such an opportunity was given but the respondent did not avail the same.

Be that as it may, the complainant, if so advised may give his version to the respondents within two weeks. The complainant doing so, the respondent after necessary editing shall publish the same with the same prominence within two weeks from the date of receipt of the version of the complainant. The Inquiry Committee directs for disposal of the complaint accordingly.

### **Held**

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

**Press Council of India**

Sl. No.25

F.No.14/516/17-18-PCI.

**Complainant**

Dr. Rajesh Sharma,  
Director,  
Narmada Trauma Centre,  
E-3/23, Arera Colony,  
Bhopal-462 016 (M.P).

**Respondent**

The Editor,  
Pradesh Today,  
Bhopal (M.P.)

**Adjudication dated 26.9.2018**

This complaint dated 1.2.2018 has been filed by Dr. Rajesh Sharma, Director and other officers of Narmada Trauma Centre, Bhopal against “Pradesh Today” alleging publication of series of false, misleading and defamatory news items. The captions and dates of impugned news items are given herein below:-

S.No.	Caption	Date
1	एकसीडेंटलमरीजोंकोलूटरहेनर्मदाट्रामा-LBSहास्पिटल	21.12.2017
2	2दिनLBSनेवेंटिलेटरपररखीमहिलाकीडेडबाडी	27.12.2017
3	सैंसटीववार्डकेमरीजकोलेआयेसडकपर	2.1.2018
4	मरीजोंकोलूटरहेLBSऔरनर्मदाकेखिलाफशिवसेना	4.1.2018
5	कम्प्लेंटसेकुछनहींहोता,हमारीजेबमेंMCI	6.1.2018
6	आई.टी. रेडकेबादभीनर्मदामेंब्लैकमनीकाघालमेल	8.1.2018
7	24 घंटेनर्मदाहास्पिटलमेंडेडबाडीकाईलाज	12.1.2018

It has been reported in the impugned news items that the Director of Narmada Trauma Centre has been collecting money illegally from the road accident victims with the connivance of employees of hospital's Ambulance Service by charging ambulance fare. They are also looting the patients in the name of medicines, tests and operations. The news item reportedly highlights the nexus between the hospital and employees of private ambulance and ambulance-108. The drivers take victims of road accidents only to the Narmada Hospitals. Complaints in this regard have been sent to the Health Department. It has also been reported that several raids of Income Tax were conducted in the branches of Narmada Hospitals wherein taxmen recovered cash, jewellery and documents of Benami properties. Allegations of taking huge amount from the patients and many discrepancies in the hospital have been highlighted in the impugned news items.

Denying all the allegations levelled in the impugned news items, the complainants alleged that the impugned news items are totally false and defamatory and published with a view to blackmail them. The complainants have further alleged that the respondent demands advertisements from their Institute regularly and on denying, the respondent started publishing series of false impugned news items against them.

The complainants submitted that the attention of the respondent was drawn on 30.12.2017 with a request to publish the corrigendum. In response thereto, the counsel for the respondent vide his letter dated 10.1.2018 stated that all the impugned news items have been published after thorough investigation and after due circumspection. Allegation of blackmailing has also been denied by the respondent.

The complainants vide their further letter dated 12.3.2018 and 8.5.2018 has alleged that the respondent newspaper has again published false, baseless and defamatory news items in its issues dated 22.2.2018, 23.2.2018, 27.2.2018, 12.3.2018, 13.3.2018, 19.3.2018, 21.3.2018 10.4.2018 and 15.4.2018 with a view to blackmail and pressurise them.

They have requested the Council to cancel the registration of the respondent newspaper.

**No Written Statement**

Show-cause notice was issued to the respondent-Editor, Pradesh Today, Bhopal on 21.3.2018 but no response has been received.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 24.7.2018 at Bhopal. Shri Anoop Sharma, P.A, and Shri Satish Tiwari, Advocate appeared on behalf of the complainant. Shri Samander Singh, Co-ordinator journalist and N.C. Das represented the respondent newspaper.

The complainant is aggrieved by several stories published in the newspaper in regard to the Narmada Taruma Center. It is the allegation of the complainant that all the stories are false and concocted. The respondent is represented by his counsel. It is the allegation of the complainant that before publishing those stories, his version was not taken. This is denied by the respondent. Be that as it may, the Inquiry Committee gives liberty to the complainant to give his version to the respondent within two weeks. The respondent on receipt of the same after necessary editing shall publish the version of the complainant with the same prominence as the news item which is the subject matter of the inquiry. The Inquiry Committee directs for disposal of the complaint with the aforesaid directions.

**Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint with directions.

**Press Council of India**

Sl. No. 26

File no. 14/433/17-18/PCI

<b>Complainant</b>	<b>Respondent</b>
Shri P. Kumar, General Secretary, Vindhyachal Urja Mazdoor Union (CITU), Singrauli (M.P)	The Editor, Dainik Bhaskar, Dainik Bhaskar (P) Ltd., Singrauli (M.P.)

**Adjudication dated 26.9.2018**

This complaint dated 16.12.2017 has been filed by Shri P. Kumar, General Secretary, Vindhyachal Urja Mazdoor Union (CITU), Singrauli, M.P. against the Editor, Dainik Bhaskar alleging publication of a false, fictitious, frivolous and concocted news item under the caption: “कर्मचारीनेताकेवेतनसेकाटो 27000” in its issue dated 24.10.2017.

It is reported in the impugned news item that the NTPC Vindhyanchal management has decided to deduct a sum of Rs. 27000 from the salary of a Union Leader. According to the sources, one of the officers, posted to monitor the working of the Union employees, apprised his seniors about how a Union leader inspite of being defeated in Union’s election is occupying the office.

Denying the allegations, the complainant has submitted that in 2015 his Union (VUMU) was elected for the tenure of two years following which another secret ballot election for identifying representative Union in NTPC Vindhyachal Super Thermal Power Station was held on 15.6.2017. On declaring elected for another three years, the question of vacating Union’s office accommodation does not arise at all and his Union has all rights to continue with the office accommodation in possession. Moreover, this matter is between NTPC Management and his Union and if the Editor of the said daily newspaper wished to publish any news regarding this, he should have gathered facts from both the sides.

The complainant vide letter dated 27.10.2017 drew the attention of the respondent Editor towards the impugned news item with a request to publish clarification in the matter, but no response has been received.

Show Cause Notice dated 24.1.2018 was issued to the respondent Editor to file the reply in the matter.

**Written Statement of Dainik Bhaskar**

The respondent Dainik Bhaskar submitted its written statement dated 22.6.2018 through their counsel, whereby while denying the allegations levelled in the complaint, the paper has alleged that the complaint is nothing but an abuse of process of law and has been filed. The respondent has further alleged that the complaint is misconceived, devoid of any merits and not maintainable. According to the respondent, a bare perusal of the impugned news item dated 24.10.2017 would show that in the newspaper, nothing defamatory has been published. Even after reading of the said news article, it would be clear that neither the name of the complainant is mentioned in the news item nor the name of the Union of which the complainant claims to be General Secretary is mentioned. Thus, merely on the basis of assumptions, filing a vague complaint defaming them is the clear abuse of process of law and therefore the complaint is liable to be dismissed forthwith. The respondent further submitted that the pay slip of the complainant for the month of October, 2017 indicates that

a sum of Rs.27, 717/- has been deducted as arrear penal recovery from his salary which itself shows that the employer NTPC Ltd. has deducted it from the salary of the complainant. The respondent has stated that the complainant filed this complaint in order to put pressure on them to achieve his ulterior motive. The respondent has requested the Council to dismiss the complaint.

**Additional paper from the complainant**

The complainant vide letter dated 24.7.2018 at the time of hearing at Bhopal has filed additional papers in support of his contention. He, while reiterating his complaint, has submitted that the NTPC Vindhyachal is abusing the powers by deduction from his salary and publishing the matter in the newspaper. He has further submitted that the management is harassing him as they have raised voice against corruption and corrupt practices, particularly in the vital area of Township Security in NTPC Vindhyachal. He has further requested the Council to investigate the matter to render justice.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 23.7.2018 at Bhopal. Shri P.Kumar, complainant, appeared in person. There was no appearance on behalf of the respondent paper.

The Inquiry Committee has heard the complainant and has perused the petition of complaint and the written statement and all other connected papers. The Inquiry Committee is of the opinion that the respondent newspaper had the material to publish the impugned news item. When asked for as to whether the complainant is willing to give his version to the respondent newspaper for publication, he states that he is not willing to give any such version. The Inquiry Committee finds no merit in the grievance of the complainant and accordingly recommends for dismissal of the complaint.

**Held**

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

**Press Council of India**

Sl. No. 27

F. No. 14/556/15-16-PCI

Smt. Seema Chauhan, President, Matra Shakti Sangathan, Seoni, M.P.	The Editor, Dainik Hind Gazette, Seoni.
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**Adjudication dated 26.9.2018**

This complaint dated 2.2.2016 has been filed by Smt. Seema Chauhan, Chairman, Matr Shakti Organisation, Seoni, M.P. against the Editor, Dainik Hind Gazette, Seoni for publication of allegedly false, baseless and defamatory news items in its various issues which reads as below:

S.No.	Caption	Dated
1.	छपरामेंमानसिकविक्षिप्तहुईगर्भवती:मात्रशक्तिकोनहींमहिलाओंकीचिंता	05.11.2015
2.	महिलाओंकीचिंताक्योंनहींकररहीमात्रशक्ति	23.11.2015
3.	भाजपाप्रदेशाध्यक्षकोबताईमात्रशक्तिकीहकीकत	24.11.2015
4.	श्रेयलेनेकेपहलेप्रमाणपेशकरेमात्रशक्ति:जोगेश	25.11.2015
5.	मात्रशक्तिसंगठनकेकार्यक्रमसेकियाप्रदेशाध्यक्षनेकिनारा	27.11.2015
6.	किसकास्वागतकरनेजारहीमात्रशक्ति	01.12.2015
7.	मात्रशक्तिपरलगेसंगीनआरोप	17.12.2015

The complainant has alleged that a series of deleterious reports have been published by the paper depicting functioning of the organisation in a shoddy manner. In one of the impugned news item, the paper cited a case of pregnancy of a mentally retarded woman alleging that the Matra Shakti organization did not take up the matter with authorities. The paper allegedly disparaged the women organisation by stating that it tries to garner cheap publicity in name of martyrdom by organising functions and indulging in dirty politics. Similarly, the paper allegedly reports that the women organisation is deviating from its main objective i.e. taking up cause of victimised women and forwarding its selfish agenda to establish its report among big-wigs of the society.

The complainant has denied the allegation levelled in the impugned news items and stated that any incident related to cruelty or domestic violence, they do their best to take up the cause. She has submitted that the matter of the organisation are local ladies having families and if any incident happens in far away areas, it is not possible for them to take cognizance in the matters. Further, the matters related to police and administrations are not in the purview of the organisation and they never interfere in those matters. She further submitted that the organisation is working for upliftment of poor women and families of martyrs. The complainant vide letters dated 24.11.2015 and 11.1.2016 drew the attention of the respondent towards the impugned articles. In response to that the respondent vide letter dated 16.1.2016 informed that their intention to publish impugned news item is not to lower the image of the organisation and they have due respect for the organisation. The complainant is not satisfied with the reply of the respondent and has therefore requested the Council to take action against the respondent.

**Written Statement**

In response to the Council's Show Cause Notice dated 30.5.2016 the respondent, Managing Editor, Dainik Hind Gazette vide letter dated 15.6.2016 requested the Council to grant him 45 days time to furnish the detailed written statement. He has submitted that the allegations levelled in the complaint are false and baseless and they published the news items with complete responsibility and proper verification. They have no intention to damage/harm the reputation of the complainant organisation. He has further submitted that if the complainant organisation has any problem with the publication of the articles they can directly approach them and the newspapers would definitely publish their version.

**Report of the Inquiry Committee dated 13.7.2017**

Following adjournments dated 5.10.2016 and 15.05.2017, the matter came up for final hearing before the Inquiry Committee on 13.7.2017 at New Delhi. The complainant Smt. Seema Chauhan appeared in person and Mr. Parvesh Sharma representative appeared on behalf of the respondent editor.

The Inquiry Committee has heard Smt. Seema Chauhan on behalf of the complainant. It is after great pursuance by the Inquiry Committee, that the editor of the respondent newspaper has appeared before the Inquiry Committee. At the first instance, the respondent editor states that this proceeding cannot continue being hit by Section 468 of the Code of Criminal Procedure, 1973. The plea of the editor is absolutely misconceived. The present proceeding is not for prosecution of the respondent but to ascertain as to whether while publishing the impugned news items, he has committed breach of any journalistic ethics and therefore Section 468 of the Cr.P.C. is not remotely attracted. It is the plea of the respondent that the version given by the complainant had been published and, therefore, it is not a fit case in which the Inquiry Committee should proceed with the case. The Inquiry Committee has bestowed its consideration and has perused the clarification published by the newspaper. The Inquiry Committee is of the opinion that the published clarification is absolutely distorted and mischievous. The Inquiry Committee deprecates the conduct of the respondent newspaper and recommends that the respondent newspaper be censured. The respondent is further directed to publish this order within four weeks of receipt of the Adjudication in its newspaper. A copy of this order be also forwarded to the Director, Information and Public Relations, Government of Madhya Pradesh, Director General, DAVP and the District Magistrate, Seoni, for appropriate action.

While the draft adjudication was ready for being listed before Council on 21.9.2017 in meanwhile respondent paper vide its communication dated 13.9.2017 forwarded therewith a copy of interim stay granted by the Hon'ble High Court, M.P. directing that no final Order shall be passed on the pending complaint till the next hearing.

Subsequently, the High Court Madhya Pradesh, Jabalpur, vide Order dated 23.3.2018 directed the Press Council of India to decide preliminary Objection regarding maintainability of the complaint filed by the petitioner (Dainik Hind Gazette) within a period of one month from the date of production of certified copy of this Order. The Order further states that the relief with respect to quashment of the complaint cannot be granted at this stage because it required to be considered by the Press Council of India while deciding the objection. The Court disposed off the matter accordingly.

### **Communications from the respondent Editor**

The respondent Editor vide letter dated 12.7.2018 has stated that the Council can consider complaints filed between 9.12.2015 and 9.2.2016 as the Council received the compliant on 9.2.2016, and further requested to conduct inquiry on the impugned news item published after 9.12.2015.

The respondent Editor, Hind Gazette has filed a letter dated 24.7.2018 at the time of hearing at Bhopal whereby he, while reiterating his complaint, has pointed out that the Council received the compliant in this matter on 9.2.2016, therefore only one compliant which was published on 17.12.2015 may be considered for inquiry by the Council. He has further submitted that the complainant, Matr Shakti Sangathan had filed a case in the court of judicial Magistrate, Seoni, M.P and the respondent editor has requested to close the proceedings in the matter

### **Report of the Inquiry Committee dated 24.7.2018**

After the High Court Madhya Pradesh, Jabalpur, Order dated 23.3.2018 directing the Press Council of India to decide preliminary Objection regarding maintainability of the complaint filed by the petitioner (Dainik Hind Gazette), the matter came up for hearing before the Inquiry Committee on 24.7.2018 at Bhopal. The complainant, Smt. Seema Chauhan appeared in person. Shri S.K. Khare, Editor to Dainik Hindi Gazette also appeared before the Inquiry Committee.

The Inquiry Committee had earlier passed the Order of Censure against the respondent Newspaper. The draft adjudication of the Inquiry Committee was ready for being listed before the Council. In the meanwhile, a copy of interim Order passed by the High Court of Madhya Pradesh was brought to the notice of the Council, whereby a direction was given that no final Order be passed in the complaint till the next hearing by the High Court. Ultimately by Order dated 23.3.2018, the High Court directed the Council to decide the preliminary objection in regard to the maintainability of the compliant. Accordingly, the draft adjudication was not placed for consideration before the Council, and the matter has been posted before the Inquiry Committee on the maintainability of the complaint.

Shri S.K. Khare, Editor of the respondent newspaper appears and submits that the complaint being barred by limitation, the Inquiry Committee ought to have rejected the same on this ground alone. He submits that the complaint can be entertained by the Council only within two months of the date of the publication of the news. In the present case, the complaint was filed on 2<sup>nd</sup> February, 2016 but the subject matter of the inquiry are news dated 5.11.2015, 23.11.2015, 24.11.2015, 25.11.2015, 27.11.2015 and 1.12.2015, which are beyond the two months period prescribed under the Regulations. One of the news items which is the subject matter of this complaint is dated 17<sup>th</sup> December, 2015 and according to the respondent, the Inquiry Committee could have only entertained the grievance against this news item. The Inquiry Committee has given its consideration to the submission made by the respondent and finds no substance in that. It is relevant here to state that there is no absolute bar in entertaining the complaint beyond the period of two months. The legislature has given discretion of the Council to entertain application even after the expiry of two months. Here, in the present case one of the news items, as admitted by the respondent himself was within a period of limitation. The other news items which have been published on various dates as referred above are one way or the other connected with the latest news item and taking note of that, the delay in filing the complaint was condoned. Therefore, the Inquiry Committee is of the opinion that the complaint is maintainable and does not deserve to be rejected on the ground of limitation.

No other point was urged by the respondent on the issue of maintainability. The Inquiry Committee on merit has found the conduct of the respondent newspaper violating the

code of conduct and therefore Censured the newspaper. The Inquiry Committee for the reasons stated in the said draft Order of adjudication, **Censures** the respondent newspaper. A copy of this Order be forwarded to the Director General of DAVP, the District Magistrate, Seoni and the Director, Information and Public Relations, Government of Madhya Pradesh for appropriate action.

**Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decides to **Censure** the respondent newspaper with the above recommended direction.

**Press Council of India**

Sl.No. 28

F.No. 14/69-74/17-18-PCI

**Complainant**

Dr Pratap Agrawal,  
Advocate,  
Main Road, White House,  
Jagdalpur, Bastar,  
Chattisgarh - 494001.

**Respondent**

The Editors, Printer, Publisher of Newspapers

1. Patrika, Hindi Daily.  
Jagdalpur.
2. Dainik Bhaskar, Hindi Daily.  
Raipur.
3. Hindsat, Hindi Daily  
Jagdapur.
4. Pioneer,  
Raipur.
5. Harbhoomi,  
Raipur.

**ADJUDICATION**

**Dated: 26.09.2018**

This complaint dated 10.5.2017 has been filed by Dr. Pratap Agarwal, Advocate on behalf of his client Dr Sujan Narayan Agrawal for allegedly publishing false, fabricated and malicious news items against his client by the Editors, Printer, Publisher of Newspapers of - 1. Patrika, Hindi Daily, Jagdalpur, 2. Dainik Bhaskar, Hindi Daily, Raipur, 3. Hindsat, Jagdalpur, 4. Channel India, Hindi Daily, Jagdalpur, 5. Pioneer, Raipur, 6. Harbhoomi, Raipur.

Brief of the news items are given below:

Sl. No.	Newspaper/ issue dated	Caption	Brief
1.	Patrika, Raipur 16.10.2016 ( as mentioned by the complainant on the news clipping)	Medical college main char ghante tadapte raha, dekhne nahi aaya doctor.	Inhuman faces of the doctors came in the fore front in the Medical college incident. The disabled father of the deceased Abhishek Sahu tried to call on the doctors but after struggling for four hours with his wounds injured Abhishek Sahu succumbed to death. This type of incident where patients dying due to negligence of doctors and due to absence of the duty doctors at hospital is nothing new and dozens of such cases can be reported against the largest medical college of Bastar. In enquiring from the Chairman of the Medical College Avinash Mishra mentioned that it was an minor injury and doctors attended the patient however in real there was no doctor on duty when injured Sahu was brought to the hospital. The para medicas staff did the bandage however due to the absence of a Sr. Doctor and continous bleeding the injured Abhishek Sahu died.
2.	Hindustan, dated	Prem prasang ke chalte hua	....when injured Abhishek brought to

	16.10.2016	yuvak ki hatya	Maharani Medical College by the police, he died during nursing ..... Deceased Abhishek's relatives claims if Abhishek would have been treated immediately by the concerned doctor, his life could have been saved. When injured Abhishek was brought to the hospital he was alive but due to the negligence of Sr. Doctor the patient died.
3	Harbhumi, dated 16.10.2016 ( as mentioned by the complainant on the news clipping)	Prem Prasang ke vivadh par yuvak ki hatya.	..... injured during a clash Abhishek was admitted in hospital in serious condition by his friend, where he died.
4.	Pioneer, dated 16.10.2016 (as mentioned by the complainant on the news clipping)	Bisharjan ki dauran Yuvak ki Hatya.	....injured abhishek was taken to the Maharani Medical College and he died during his treatment in the hospital succumbed to the injury
5.	Dainik bhaskar dated 16.10.2016 (as mentioned by the complainant on the news clipping)	Bisharjan jhaki main chakubaji, mamla prem prasang ka, chatra ki maut.	The content under the sub-heading questions the medical college administration and the doctors for their negligence. Why not injured Abhishek was taken to emergency O.T. for operation? Doctors constantly stressed that injured Abhishek pulse is not found and his B.P. is not stable and hence he cannot be operated. He succumbed to his injuries and died. The news item refers to another incident where a patient was brought to the hospital injured by bullet shot by gun and his pulse was also not found but still operation was done in emergency O.T. and he was saved. Why the same has not been done in case of Abhishek.

The complainant stated that, the respondent newspapers have levelled false allegations against his client Dr S.N. Agrawal in their respective newspapers. The complainant submitted that “ on 16.8.2016 night, a stab wound injured patient was brought to emergency of Maharani Hospital cum Medical College, Jagdalpur. The night duty doctors and para medical staff were present in the emergency. And they immediately treated to the best but the patient succumbed to injuries”, however, the complainants alleges that “the newspapers have published a false report stating that the night duty doctor was not present to treat the patient”. The complainant further submitted that an enquiry was conducted by the Superintendent of the Medical College, in which it was found that the impugned news item was false and fabricated. Thus, publication of the untrue report accusing the duty doctor to be careless has demeaned his client's family name and had tarnished the reputation of the doctor.

The complainant informed the Council that he has served notice to the respondents newspapers namely Hindi Daily Patrika, Dainik Bhaskar, Haribhumi, Channel India, Hindsat, Pioneer, dated 12.7.2017 against the alleged defamatory news item in their

respective issues and asked for an compensation amounting to rupees five crore. The complainant requested the Council to take necessary action against the respondents.

The complainant has not provided news clippings against the respondent Channel India and hence no Show Cause Notice is issued to Channel India.

(i) **Reply Filed by the Respondents**

**Response of Rajasthan Patrika**

In response to the Show Cause notice dated 25.8.2017, Rajasthan Patrika vide letter dated 29.9.2017 has expressed its suspicion as to why the complainant after such a long gap had filed the matter with PCI when the alleged impugned news item was published on 17.08.2016. It has been further stated that the news was based on the statements given by the immediate kin of the deceased and according to the sequence of the entire mishap that took place and hence it has not violated any journalistic norms and has no intention to defame anyone but published the true facts as the same were also reported by other newspapers. The respondent requested the Council to dismiss the matter on basis of aforesaid submissions.

A copy of the written statement forwarded to the complainant on 6.11.2017.

(ii) **Response of Haribhoomi**

In response, Haribhoomi vide letter dated 11.9.2017 stated that in the complaint the complainant claimed the alleged impugned news item was published in Haribhoomi on 16.8.2016 but no such publication has been published by Haribhoomi on the date mentioned. Thus the complaint stands invalid. It pointed out that the matter has been covered by other leading dailies giving an account of the incident on the basis of statements of the witness, doctors, hospital administration and the immediate kin of the deceased and thus it intends to inform the people with true facts and no malice intention was behind the publication. It has also stated that in the alleged impugned news item, nowhere they have mentioned the name of the complainant's client and hence the claim is baseless and therefore requested to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 6.11.2017.

(iii) **Response of Hindsat Hindi Dainik**

In response, Hindsat Hindi Dainik vide letter dated 26.9.2017 has pointed out the technical flaws in the complaint to mention a few – abnormal delay in filing the objection against the impugned news item, secondly, why the editor was not contacted/written regarding the objection before filing the complaint with PCI and why no Declaration confirming that no similar complaint is lying before any Court of Law apart from PCI.

It has further denied that *publication of such news matter in newspaper Hindsat based over any patient brought to Maharani Hospital, Jagdalpur on 16.08.2016 and also because of having no knowledge of any such event on 16.07.2016*". It has submitted that Hindsat newspaper is being published in two editions and Shri Santosh Verma is the news editor for Jagdalpur edition, and hence he is the responsible person for any such publication. According to the paper, it has published the matter in a concise, compact, clear manner/style, beyond malafide facts and non-defamatory to any particular person. It covers the version of the hospital administration, kin of the deceased and police authorities and without mixing opinion. It is mere narration of the incident. It has done the job of a responsible press. The respondent paper, has therefore, prayed for dismissal of the matter.

A copy of the written statement forwarded to the complainant on 6.11.2017.

**Counter Comment of the Complainant**

Vide letter dated 20.12.2017, the complainant requested permission to amend the petition by substituting the date of the incident as 14.10.2016 instead of 16.10.2016 and the publication were dated 16.10.2016 and 17.10.2016. The complainant has further stated that the reply from Dainik Bhaskar and Channel India is still awaited and the reply filed by other respondent newspapers are untrue and stated that he would like to file a rejoinder and the case may be considered and heard by the Council.

**Recommendation of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 24.07.2018 at Bhopal. The complainant was not present. Shri Gopal Sharma, Manager represented Patrika, Shri D.S.Niyazi, Editor, Hind Sat, Shri Gupta, Advocate represented Dainik Bhaskar, Shri Bhupesh Upadhyay and Shri Pramod Bhardwaj, represented Editor Hari Bhoomi before the Inquiry Committee.

The complainant is aggrieved by the various news items published in the respondent newspapers.

The complainant has filed an application for the adjournment of the case to file rejoinder to the written statement filed by some of the respondents and has further prayed for making available the reply. Such a prayer was made by the complainant by letter dated 20.12.2017. Today, the representatives of all the respondents are present and therefore the Inquiry Committee is not inclined to adjourn the matter.

It has been published in the news that a patient brought to the hospital was not attended by the doctor for several hours. The Inquiry Committee has perused the complaint, the written statements and other connected papers and finds that the complainant has nothing to do with the hospital. From the perusal of the news item, it also appears that the facts stated in the news were on the basis of the statement given by the relatives of the injured person. The Inquiry Committee is of the opinion that the respondent newspapers have not committed breach of any journalistic ethics so as to call for action.

The Inquiry Committee accordingly recommends for dismissal of the complaint.

**Held**

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

**Press Council of India**

**Sl. No. 29**

**F.No. 14/178/17-18-PCI**

**Complainant**

**Respondent**

Shri Dinesh Dubay,  
Asstt. Project Manager (Tel.),  
M.P. DAY State Rural Livelihood Mission,  
Panchayat & Rural Development Department,  
Government of Madhya Pradesh,  
Bhopal (M.P.).

The Editor,  
Dainik Bhaskar,  
Bhopal (M.P.).

**Adjudication dated 26.9.2018**

This complaint dated 11.7.2017 has been filed by Shri Dinesh Dubey, Asstt. Project Manager (Tel.), M.P. DAY State Rural Livelihood Mission, Panchayat & Rural Development Department, Government of Madhya Pradesh, Bhopal (M.P.) against the editor, Dainik Bhaskar, Bhopal for allegedly publishing false, baseless and misleading news under the caption “गावों को बेरोजगार मुफ्त कर ठिकाने लगाया लाखों का बजट” in its issue dated 6.7.2017.

It is reported in the impugned news item that Panchayat & Rural Development Department, Govt. of M.P. has launched a project of Rashtriya Gramin Ajivika Mission to provide employment to the youngsters for which funds have been provided by the World Bank and Central Govt. However in an investigation, it has come to light that nothing has been done even at the ground level. There are very large number of unemployed youth in the 1900 villages, which claimed to have been made fully free of unemployment and for this achievement in the year 2010, the Department was awarded by the World Bank. It is also reported in the impugned news item that a list of 1928 villages declared free from unemployment was uploaded on website by the Rashtriya Gramin Ajivika Mission but hardly one or two persons got employment through the Mission in those villages and that too with their own efforts. Nanyakhera village is one of the 15 villages of Shajapur which have been also made free from unemployment however on enquiring from the Secretary of Panchayat, Shri Babulal Mewar, DB Star (respondent paper) came to know that he is not even aware of the Mission. It is further reported in the impugned news item that the Statistical Officer, Ministry of Rural Development has written a letter dated 01.01.2017 to the Department of Rural Development, M.P. for conducting inquiry against Shri Belwal, CEO, M.P. Rajya Gramin Ajivika Mission.

The complainant while denying the allegation submitted that the impugned news report is false, baseless, misleading and published to defame the Chief Executive Officer. He has submitted that as per information received from three Sarpanchs, no discussion was held with the journalist with regard to functioning of the Mission. He has submitted that neither any budget provided by the World Bank nor any award received by Mission. Further, the Mission was started in Madhya Pradesh in 2012-13. The Chief Executive Office has clarified it in “Seedhe Baat” that employment opportunities are provided by the Mission and feed-back may be taken from the villages. The complainant vide letter dated 10.7.2017 while drawing the attention of the respondent requested him to give appropriate directions to the concerned Correspondent for publishing the false report, but no response has been received so far. The complainant requested the Council to take action against the respondent.

### **No written statement**

Show Cause Notice was issued to the respondent editor, Dainik Bhaskar, Bhopal, M.P. on 22.11.2017, but no written statement has been received.

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

The matter came up for hearing before the Inquiry Committee on 24.7.2018 at Bhopal. The complainant Shri Dinesh Dubey along with Shri D. Verma, Advocate and Smt. Sushma Rani Shukla appeared before the Inquiry Committee. Shri Parag Gupta represented the respondent paper, Dainik Bhaskar.

Mr. Parag Gupta appears on behalf of the respondent and prays for time. The Inquiry Committee finds no justification to adjourn the case and accordingly rejects the prayer for adjournment. No reply has been filed by the respondent, denying the allegations made by the complainant.

In the fact of it, the Inquiry Committee is left with no option than to accept the assertion made by the complainant that the impugned news item is false, baseless and defamatory. Publication of such a news item, in the opinion of the Inquiry Committee, is against the norms of journalistic conduct.

The Inquiry Committee, accordingly, recommends for **Censure** of the newspaper.

A copy of this order be forwarded to the Director General, DAVP, Director, Information and Public Relation, Bhopal(M.P.) and the District Magistrate, Bhopal (M.P.) for appropriate action.

### **Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decides to **Censure** the respondent newspaper with the above recommended direction.

## Press Council of India

Sl. No. 30

F.No. 14/204/17-18-PCI

### Complainant

Shri L. M. Belwal  
Chief Executive Officer,  
M.P.Rajya Gramin Ajivika Mission,  
Beej Bhawan, Arera Hills,  
Bhopal, Madhya Pradesh.

### Respondent

The Editor,  
Dainik Bhaskar,  
6, Dwarka Sadan,  
Press Complex, M.P. Nagar,  
Bhopal, M.P.

### Adjudication dated 26.9.2018

This complaint dated 14.8.2017 has been filed by Shri L.M.Belwal, M.P. against the editor, Dainik Bhaskar, Bhopal for allegedly publishing false, baseless and misleading news items under the captions “गावोंको बेरोजगार मुक्त घोषित कर ठिकाने लगाया लाखों रुपये का बजट” and “नियुक्तियों में भारी धांधली चहेतों को मनमाना वेतन” in its issues dated 6.7.2017 and 23.7.2017 respectively.

It is reported in the impugned news item dated 6.7.2017 that Panchayat & Rural Development Department, Govt. of M.P. has launched a project of Rashtriya Gramin Ajivika Mission to provide employment to the youngsters for which budget has been provided by the World Bank and Central Govt. However in an investigation, it has come to light that nothing has been done even at the ground level. There are very large numbers of unemployed youth in the 1900 villages, who claimed to have been made fully free of unemployment and for this achievement in the year 2010, the Department was awarded by the World Bank. It is also reported in the impugned news item that a list of 1928 villages declared free from unemployment was uploaded on website by the Rashtriya Gramin Ajivika Mission but hardly one or two persons got employment through the mission in those villages and that too with their own efforts. Nanyakhera village is one of the 15 villages of Shajapur which have been also made free from unemployment however on enquiring from the Secretary of Panchayat, Shri Babulal Mewar, DB Star (respondent paper) came to know that he is not even aware of the Mission. It is further reported in the impugned news item that the Statistical Officer, Ministry of Rural Development has written a letter dated 01.01.2017 to the Department of Rural Development, M.P. for conducting inquiry against Shri Belwal, CEO, M.P. Rajya Gramin Ajivika Mission.

In the impugned news dated 23.07.2017, it has been reported that under Ajivika Mission in Anoopur District, Smt. Sushma Rani Shukla was working as District Manager, Community Institutional Development and she has requested the department to relieve her as she has got an opportunity to work as Mission Executive in NIRD, Hyderabad and when the file of her transfer was routed to the complainant he approved the proposal of ACEO by writing that “सुषमाशुक्लाकेअनुरोधपरविचारकियाऔरएनआईआरडीमेंकामकरनेकेअनुभवकालाभमिशनकोमिलेगा”.It is also reported in the impugned news item that the complainant favoured her by increasing her salary arbitrarily. He increased her salary by 40% whereas in case of others by only 11%.

Denying the allegations levelled against the complainant he has stated that the impugned news reports are false, baseless, misleading and published to defame him. He has submitted that the Sarpanch of three districts informed him that no discussion took place with

any reporter with regard to functioning of the Mission. He has further denied following allegations reported in the impugned news item:

- a) Fraud in Appointments, Arbitrary salary to favorites
- b) Made experienced employees laborer
- c) Appointments of favorites against the Rules
- d) Partiality in increment
- e) Officer showed generosity towards a female employee
- f) Salary increment upto 40% in favour of Smt. Sushma
- g) Special benefits to female employees

The complainant vide letters dated 25.7.2017 and 26.7.2017 drew the attention of the respondent towards the impugned news item and requested him to publish rejoinder, but no response has so far been received. The complainant requested the Council to take action against the respondent.

A Show Cause Notice was issued to the respondent editor, Dainik Bhaskar, Bhopal, M.P. on 15.9.2017.

#### **Written statement**

The respondent vide his undated written statement, received in the Secretariat of the Council on 16.10.2017, has filed Written Statement wherein he has stated that the news was published in good faith and in public interest without any malicious intention and on the basis of written information obtained from the concerned Sarpanch. He has further stated that it is completely false statement in the complaint that Mission has not entered in the village of Nanyakheri at Shahjapur District. However, as per documents available with them, work has been started in the village. He has also stated that the concerned reporter had conversation with the complainant and he also expressed regret for the same. The complainant was satisfied with his apology. He has requested to dispose of the complaint.

A copy of the Written Statement has been forwarded to the complainant on 30.10.2018 for Counter Comments.

#### **Counter Comments**

The complainant vide letter dated 10.11.2017 has filed Counter Comments wherein he has reiterated the allegations against the paper. He has stated that the name of Shri Babulal Mewar, Secretary, Nanyakheri village in Shajapur District is mentioned in the news but the village was not included in the list of work-plan of the Mission as on date of publication. The said village is in Agar district and 24 persons were given employment through Employment Fair. The self-employed youngsters got employment through training and planning. He has further stated that according to the written statement, the reporter has expressed regret which shows that the respondent agrees that reported news item is false but that is not enough, rejoinder should have been published in this regard. He has also stated that it is reported in the news item that the discussion was held with Smt. Kamla Rawat, Sarpanch, Shivpuri district but she does not have mobile phone and no discussion took place between her and any reporter. He has stated that she is well aware of the working of the Mission and 27 youngsters got employment in her village through the Mission. He has further stated that the facts in the Written Statement are baseless and incomplete. He has requested the Council to take action against the respondent.

A copy of Counter Comments was forwarded to the respondent on 11.12.2017 for information.

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

The matter came up for hearing before the Inquiry Committee on 24.7.2018 at Bhopal. The complainant, Shri L.M. Belwal along with Smt. Sushma Rani Shukla appeared before the Inquiry Committee. Shri Parag Gupta represented the respondent.

Mr. Parag Gupta appears on behalf of the respondent newspaper, Dainik Bhaskar and prays for time. The Inquiry Committee finds no justification to adjourn the case and accordingly rejects the prayer for adjournment.

The Inquiry Committee has perused the complaint, the written statement and the entire records. Many of the allegations made by the complainant have not been denied by the respondent. When the complainant had alleged that the news item is false and baseless, it was incumbent upon the respondent to rebut that. In the face of it, the Inquiry Committee comes to the conclusion that the allegation made by the complainant that news item contains false and baseless allegations is fit to be accepted.

Once it is held, so, the act of the respondent in publishing false and baseless news is in breach of norms of journalistic ethics. The Inquiry Committee accordingly recommends for **Censure** of the respondent newspaper.

A copy of this Order be forwarded to the Director General, DAVP, Director of Information and Public Relations, Bhopla (M.P.) and the District Magistrate, Bhopal for appropriate action.

### **Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decides to **Censure** the respondent newspaper with the above recommended direction.

**Press Council of India**

Sl. No. 31

F.No. 14/255/17-18-PCI

Shri Brijesh Kumar Upadhyay,  
S/o Shri Laxmi narayan Upadhyay,  
Shrinagar Pachokhra,  
Firozabad, U.P.

Vs.

The Editor,  
Next Future,  
Weekly Newspaper,  
Block No. 16,  
Shop No. 13, Near G.G. Nursing Home,  
Sanjay Palace, Agra, U.P.

**ADJUDICATION**

**26.9.2018**

This complaint dated 9.9.2017 has been filed Shri Brijesh Kumar Upadhyay, Firozabad against the editor, Next Future, Hindi weekly alleging publication of false and defamatory news items in its issues dated 23.6.2017 and 7.7.2017 under the captions “दबंगभू-मापि याओंद्वाराकीजारहीअवैधवसूली”and “दबंगोंद्वारापशुओंकीकट्टीकेनामपरअवैधवसूली” respectively.

It has been reported in the impugned news items dated 23.6.2017 and 7.7.2017 that hardcore criminals and land mafias are illegally collecting money from the road side vendors and businessmen in the garb of Tehbazari. They are not even adhering to the orders of Hon’ble Supreme Court and District Magistrate. It has been further reported that several cases are pending against the Brijesh Upadhyay (complainant) and others under Section 147, 148, 149, 302, 120B, 336, 452, 335, 307, 354 and SC Act. It has also been reported that the complainant charged Rs. 500/- per animal instead of 100/- per animal and issuing illegal private receipts and thereby causing loss to government’s revenue. The District Magistrate had ordered inquiry into the matter and the Additional Chief Officer found the allegations true and ordered the vendors to stop collection with immediate effect.

Denying the allegations, the complainant has alleged that the impugned news items are totally false and defamatory. According to the complainant, he and his brother organize cattle haat every Friday legally after obtaining license from District Panchayat but his opponents files false complaints against him time to time with a view to defame him and his family by adopting cheap tactics. The complainant has alleged that the Managing Editor of the respondent newspaper has also been accompanying them and published these false and defamatory news items thereby tarnishing their image in the society. The complainant has further alleged that no pre-publication verification has been made by the respondent. The complainant alleges that the respondent has demanded advertisements and threatened for publishing defamatory news in the absence of advertisement support to his paper. With regard to allegation levelled in the impugned news items regarding filing of several FIRs and issuance of fake receipt, the complainant has stated that he and his family has been found innocent after administrative enquiry.

The complainant vide letter dated 2.7.2017 drew attention of the respondent towards the impugned news items and requested to publish the rejoinder but received no response. He has requested the Council to take necessary action in the matter.

### **No Written Statement**

Show Cause Notices were issued to the respondent editor on 04.10.2017 and 23.11.2017 which were received back from the postal authorities with the remarks “दियेपतेपरइसनामकाकोईनहींरहता” and “दुकानबंदरहताहै-अतःवापिस” respectively. Show Cause Notice was thereafter again issued on 10.1.2018 on the address obtained telephonically from the respondent, but received no response.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Shri Anup Kumar, representative appeared for the complainant. Shri K.P. Gautam, Bureau Chief appeared for the respondent newspaper.

The Inquiry Committee has heard the complainant.

The Inquiry Committee has perused the complaint and all other connected papers. During the course of hearing, it transpired that the complainant has chosen to file a complaint against the source of the impugned news. The Inquiry Committee is of the opinion that the matter being sub-judice, it is inappropriate for it to proceed further in the matter.

The Inquiry Committee, accordingly, recommends for disposal of the complaint.

### **Held**

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

**Press Council of India**

Sl.No. 32

F.No. 14/114-117/17-18-PCI

<b>Complainant</b>	<b>Respondent</b>
Shri Anand Dev Singh, Asst. Director, Prasar Bharti, Akashvani Varanasi, Varanasi, U.P.	1. The Editor , DainikJagran, Varanasi, U.P. 2. The Editor, Amara Ujala, Varanasi, UP. 3. The Editor , Hinduistan, Vranasi, U.P. 4. The Editor, Jansandesh Times, U.P.

**Adjudication dated 26.9.2018**

This complaint dated 21.06.2017 has been filed by Shri Anand Dev Singh, Asst. Director, Prasar Bharti, Akashvani, Varanasi, against the editor/s, Dainik Jagran, Varanasi, U.P., AmarUjala, Varanasi, UP, Hindustan, Varanasi, U.P., Jansandesh Times, U.P for allegedly publishing misleading and defamatory news against Akashvani, Varanasi, in their respective issues as per details given herein below:

<b>Srl. No.</b>	<b>Newspaper dated</b>	<b>Caption</b>	<b>Brief</b>
1.	Hindustan, Varanasi, issue dated 17.06.2017	स्टेकेबावजूदआकाशवाणीमेभर्तीसेउभराअसंतोष	This news items expresses the displeasure of the casual announcers/comperers of Akashvani, Varanasi, who are working in the office of Akashvani since long. And they have to appear for a re-screening and written test. Though a stay order has been passed against the examination by the Allahabad Bench but Akashvani, Varanasi is still conducting the examination. On protesting against the same the casual announcers and comperers were barred from the duty and from even entering the office. A writ petition has been filed against the same by 31 casual announcers/comperers. And it has been ordered by Akashvani Headquarter to put stay on the examination but still Akashvani, Varanasi is conducting the same.
2	Jansandesh Times, issue dated 17.06.2017	स्टेकेबावजूदआकाशवाणीमेभर्तीसेउभराअसंतोष	The Allahabad High Court Bench has put a stay on the rescreening, written test, departmental test and tests

			for new applicants/candidates for the post of announcers and comperers by its order dated 29 <sup>th</sup> . This allegation has been made against the Akashvani, Varanasi, by the casual announcers and comperers of Akashvani Varanasi. They have even filed a Writ Petition against the same and as a consequence they are being stopped from their duties. Thereafter, Akashvani, Varanasi has started accepting applications from assignee, announcers and comperers. Irrespective of Court's stay on conducting of examination new announcers are being appointed.
3.	Amar Ujala, Varanasi, issue dated 17 June, 2017.	लिखित-स्वरपरीक्षाकेविरोधमेउतरेउद्घोषक	This news item states that after fifteen years of service of presenter/announcer they are being asked to appear in voice test/written test is ridiculing and expressed their grievance to the PMO through a letter.
4.	Dainik Jagran issue dated 17 June 2017.	कैजुअलउद्घोषकोकीरोजी- रोटीसेखिलवाड़	Akasvani's local administrator's repressive nature is the cause of 31 presenters/comperers are loosing their jobs. 31 presenters/comperers have written to the State government as well as to PMO and even after the stay order from the Court,Akashvani, Varanasi is still conducting examination to intake new candidates for the job of announcers/comperers.

As per the submission of the complainant the written test and voice test was conducted by Akashvani, Varanasi, as per the direction of the CAT, Allahabad, U.P. The complainant further claims that the respondent newspapers have published a one sided story in which the casual announcers and comperers version was published. The casual announcers and comperers who were working at the office for several years have made a request to CAT to not to hold such examination where the employed announcers/comperers are asked to appear for the tests. Their request has been disapproved by the CAT, Allahabad and order for holding such examination has been passed and hence Akashvani, Varanasi is conducting the

exam. But the truth has no where been reported in the impugned news items and instead false allegations are levelled against higher authorities of Akashvani

The complainant has further submitted that he has sent letters to the editors of DainikJagaran, Hindustan, Jansandesh Times and Amar Ujala on 26.7.2017, 27.7.2017, 28.7.2017 and 28.7.2017 respectively requesting them to publish the other side of the story i.e., the Akashvani's version so that the readers get to know the truth. However, no such publication has been carried out by the respondent newspapers.

The complainant requested the Council to take necessary action against the newspapers for defaming such an esteemed body of the Government of India.

### **Reply Filed by the Respondents**

#### **Written statement filed by Jan Sandesh**

In response to the Show Cause Notice dated 28.8.2017, Jansandesh Times, vide its undated letter submitted that the news item in question has been published on the basis of the allegations made by the casual announcers/ comperers. The newspaper tried to get in touch with senior officials of Akashvani but could not reach on the phone and also stated that they have not received the letter from Akashvani seeking clarification and are still ready to publish a clarification against the impugned news item.

Written statement was forwarded to the complainant on 12.10.2017.

#### **Written statement filed by Amar Ujala**

Amar Ujala vide letter dated 7.10.2017, submitted that the publication of the news item is neither objectionable nor the newspapers or editor has offended against the standards of journalistic ethics or public taste nor the Editor has committed any professional misconduct. The impugned news item was a general news item and was published within the journalistic norms and ethics, in good faith and on the basis of admitted press conference done by some announcers/comperers in a restaurant situated at Bhelpur. Amar Ujala has not made any comments on its own and all the contents of the news report were based on the statement given by the announcers/comperers in the press conference. While denying the allegations of the complainant, Amar Ujala has requested the Council to dismiss the matter.

Written statement was forwarded to the complainant on 16.10.2017.

#### **Written statement filed by Dainik Jagran**

Dainik Jagran submitted its written statement vide letter dated 11.11.2017 that denied the allegation made against the paper "at the outset each and every contents, averments, allegations, contentions and submissions of the complainant as averred in the above referred complaint are specifically and singularly denied as being false, frivolous and incorrect" with some exceptions. It further stated that "the item was a fair reporting of the incident which took place wherein the facts reported in the news item in question were disclosed at a press conference while being on Dharna by the announcers, comperers and production assistants etc". It has also stated that after receiving the letter from the complainant the complainant's version has been published instantly by Dainik Jagran in its issue dated 19.9.2017, captioned "*kisiki roji roti se nahi hua khilwad*".

Written statement was forwarded to the complainant on 12.12.2017.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Shri Dinesh Kumar Singh, Programme Executive appeared on behalf of the

complainant. Shri Neeraj Kapoor, represented Amar Ujala along with Dy. Manager, Legal, Amar Ujala.

The Inquiry Committee has heard the complainant as also the representatives of the newspaper, Amar Ujala. The Inquiry Committee has perused the complaint, the written statement and all other connected papers. It seems that the newspaper, Amar Ujala and Dainik Jagran have published the version of the complainant. Respondent, Jansandesh Times in its reply has stated that it is prepared to publish the version of the complainant. Despite service of notice, nobody has chosen to appear on behalf of the respondent, Hindustan. In the facts and circumstances of the case, the Inquiry Committee gives liberty to the complainant to give its version to the respondent, Hindustan and Jansandesh Times within two weeks. The complainant providing its version within the aforesaid time, the respondent Hindustan and Jansandesh Times shall publish the complainant's version with the same prominence.

The Inquiry Committee directs for disposal of the complaint with the aforesaid directions.

**Held**

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

## Press Council of India

Sl.No. 33

File no. 14/345/17-18/PCI

### **Complainant**

Dr. Naim Ahmed  
Associate Professor,  
Department of Community Medicine and Public  
Health,  
King George's Medical University,  
Lucknow (U.P.)

### **Respondent**

The Editor,  
Daily News Activist,  
Lucknow.

### Adjudication dated 26.9.2018

This complaint dated 15.11.2017 has been filed by Dr. Naim Ahmed, Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow against "Daily News Activist", Lucknow alleging publication of defamatory news item under the caption "□ जीप्रमाणपत्रलगाकरलियाप्रमोशन – डॉओपीसिंहवडॉनईमअहमददोषीकरार "in its issue dated 28.9.2017.

It is reported in the impugned news item that the members of the Executive Council found the complainant guilty of submitting forged certificate for seeking promotion. The Executive Council has ordered to recover the pay drawn by the complainant as Professor and to send the promotion related file to the Governor.

Denying the allegations levelled in the impugned news item, the complainant has submitted that on receiving an anonymous complaint disciplinary proceedings were initiated against him and a charge sheet, levelling the charge of submitting forged and fabricated teaching experience certificate, was issued. The Inquiry Committee submitted its report concluding that the teaching experience certificate issued by the concerned college, presented by the complainant was not valid for the purpose of promotion.

He has further submitted that the respondent editor misled by reporting that the certificate submitted for promotion was forged and frivolous in order to sensationalize news item. The reason for the said certificate being not valid was said to be non-recognition of Era's Lucknow Medical College for the period while the complainant was teaching there. The complainant submitted that he drew the attention of the respondent editor vide letter dated 12.10.2017, but received no response.

A Show Cause Notice dated 11.12.2017 was issued to the respondent Editor, The Daily News Activist.

### Written Statement

The respondent Editor vide Written Statement dated 22.12.2017 has informed the Council that the members of the Executive Council in its report pointed out that the experience certificate issued by the Era Medical College is illegal and the appointment of Dr. Naim Ahmed at the post of Assistant Professor is not valid as per law. The same was published after having discussion on phone with Registrar who was also Secretary of the Executive Council. Further, the respondent editor has tendered an apology if the complainant is hurt by the language of the published news and will be careful in future.

A copy of the written statement was forwarded to the complainant for information on 25.1.2018.

### **Counter Comments**

The complainant vide counter comments dated 12.2.2018 has informed the Council that as per inquiry report experience certificate submitted was found to be “ineffective, illegal and void” but not fake and forged. He has further submitted that whether the publication was on basis of oral/verbal communication with ex-officio of the Executive Council is permissible or not is to be seen by the Press Council of India. He has submitted that mere tendering of apology without issuing a corrigendum within time is merely an effort to save the skin from the action to be taken by the PCI. Further, he has requested the Council to take action against the respondent editor.

A copy of the counter comments was forwarded to the respondent editor for information on 16.3.2018.

### **Communication received from the complainant**

The complainant vide letter dated 18.8.2018 has informed the Council that he has received a reply dated 4.4.2018 from the Registrar, KGMU, Lucknow whereby it has specifically been clarified that he had never described the experience certificate in question as fake /forged but twisting his version, publications were made. The Registrar only said that the mentioned certificate is not valid for promotion as per the observations given by the Inquiry Committee. He has further submitted that the publication against him is highly defamatory stands proved calling for strict action in accordance with the law.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Dr. Naim Ahmed appeared in person. Shri Arvind Chaturvedi, Editor and Shri Prakash, Chief Bureau represented the respondent.

The complainant is aggrieved by news item in different newspapers, in which the certificate produced by him for claiming promotion had been described as “fake”. It is the contention of the complainant that the certificate was not fake but has been found to be invalid by the competent authority. The Inquiry Committee finds that some of the newspapers have published the corrigendum. The Inquiry Committee directs all those newspapers who have not published the corrigendum, to publish the same, with same prominence, as that of the original news items. With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint

## Press Council of India

S.No. 34

File no. 14/347/17-18/PCI

<b>Complainant</b>	<b>Respondent</b>
Dr. Naim Ahmed Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow (U.P.)	The Editor, Dainik Jagran, Lucknow.

### Adjudication dated 26.9.2018

This complaint dated 15.11.2017 has been filed by Dr. Naim Ahmed, Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow against the "Dainik Jagran", Lucknow alleging publication of a defamatory news item under the caption: "डाक्टरों के प्रमाण पत्र ँ र्जी मिले, प्रमोशन पर लगा ब्रेक" in its issue dated 28.9.2017.

It is reported in the impugned news item that the members of the Executive Council found the complainant guilty of submitting forged certificate for seeking promotion. The Executive Council has ordered to recover the pay drawn by the complainant as Professor and to send the promotion related file to the Governor.

Denying the allegations levelled in the impugned news item, the complainant has submitted that on receiving an anonymous complaint, disciplinary proceedings were initiated against him and a charge sheet, levelling the charge of submitting forged and fabricated teaching experience certificate, was issued. The Inquiry Committee submitted its report concluding that the teaching experience certificate issued by the concerned college, presented by the complainant was not valid for the purpose of promotion.

He has further submitted that the respondent editor misled by reporting that the certificate submitted for promotion was forged and frivolous to sensationalize news item. The reason for the said certificate being not valid was said to be non-recognition of Era's Lucknow Medical College for the period when the complainant was teaching there. The complainant submitted that he drew the attention of the respondent editor vide letter dated 12.10.2017, but received no response.

Show Cause Notice dated 11.12.2017 was issued to the respondent Editor, The Dainik Jagran, Lucknow.

### Written Statement

The respondent Editor vide undated Written Statement informed that the complainant has filed baseless complaint before Press Council of India by concealing several facts which are related to the detailed inquiry report. He has further submitted that the news was published on the basis of information given by the Secretary of the Executive Committee. A detailed Press release was also given to the reporters of various newspapers. The respondent submitted that the complainant himself has accepted in his complaint that his experience certificate was not valid and the same was not considered for the purpose of promotion. He has further requested the Council to dismiss the complaint.

A copy of the Written Statement was forwarded to the complainant for information on 16.2.2018.

### **Counter Comments**

The complainant vide Counter Comments dated 12.2.2018 has informed the Council that holding of the meeting by the Executive Council is not in dispute but the complaint was made against the offending news item as its contents were not the outcome of the meeting. He has further submitted that the word used by the Editor i.e. □ जी is highly objectionable whereas the terms used by the Inquiry Committee with respect to experience certificate were “ineffective, illegal and void”. The complainant has requested the Council to take suitable action against the editor.

A copy of the Counter Comments was forwarded to the respondent editor for information on 16.3.2018.

### **Communication received from the complainant**

The complainant vide letter dated 18.8.2018 has informed the Council that he has received a reply dated 4.4.2018 from the Registrar, KGMU, Lucknow whereby it has specifically been clarified that he had never described the experience certificate in question as fake /forged but twisting his version publication was made. The Registrar only said that the mentioned certificate is not valid for promotion as per the observations given by the Inquiry Committee. He has further submitted that the publication against him is highly defamatory stands proved calling for strict action in accordance with the law.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Dr. Naim Ahmed appeared in person. Shri Sandeep Pandey, reporter represented the respondent.

The complainant is aggrieved by news item in different newspapers, in which the certificate produced by him for claiming promotion had been described as “fake”. It is the contention of the complainant that the certificate was not fake but has been found to be invalid by the competent authority. The Inquiry Committee finds that some of the newspapers have published the corrigendum. The Inquiry Committee directs all those newspapers who have not published the corrigendum, to publish the same, with same prominence, as that of the original news items. With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint

## Press Council of India

S.No. 35

File no. 14/349/17-18/PCI

<b>Complainant</b>	<b>Respondent</b>
Dr. Naim Ahmed Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow (U.P.)	The Editor, The Nav Bharat Times, Lucknow.

### Adjudication dated 26.9.2018

This complaint dated 15.11.2017 has been filed by Dr. Naim Ahmed, Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow against the Editor, The Nav Bharat Times, Lucknow alleging publication of defamatory news item under the caption: "दो असोसिएट प्रो सर का डिमोशन" in its issue dated 28.9.2017.

It is reported in the impugned news item that the members of the Executive Council found the complainant guilty of submitting forged certificate for seeking promotion. The Executive Council has ordered to recover the pay drawn by the complainant as Professor and to send the promotion related file to the Governor.

Denying the allegations levelled in the impugned news item, the complainant has submitted that on receiving an anonymous complaint, disciplinary proceedings were initiated against him and a charge sheet, levelling the charge of submitting forged and fabricated teaching experience certificate, was issued. The Inquiry Committee submitted its report concluding that the teaching experience certificate issued by the concerned college, presented by the complainant was not valid for the purpose of promotion.

He has further submitted that the respondent editor misled the readers by reporting that the certificate submitted for promotion was forged and frivolous so as to sensationalize news. The reason for the said certificate being not valid was said to be non-recognition of Era's Lucknow Medical College for the period while the complainant was teaching there. The complainant submitted that he drew the attention of the respondent editor vide letter dated 12.10.2017, but no response was received.

### No Reply

The Show Cause Notice dated 11.12.2017 was issued to the respondent Editor, The Nav Bharat Times, but no response was received.

### Communication received from the complainant

The complainant vide letter dated 18.8.2018 has informed the Council that he has received a reply dated 4.4.2018 from the Registrar, KGMU, Lucknow whereby it has specifically been clarified that he had never described the experience certificate in question as fake /forged but twisting his version, publications were made. The Registrar only said that the mentioned certificate is not valid for promotion as per the observations given by the Inquiry Committee. He has further submitted that the publication against him is highly defamatory stands proved calling for strict action in accordance with the law.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Dr. Naim Ahmed appeared in person. There was no appearance on behalf of the respondent paper, Nav Bharat Times.

The complainant is aggrieved by news item in different newspapers, in which the certificate produced by him for claiming promotion had been described as “fake”. It is the contention of the complainant that the certificate was not fake but has been found to be invalid by the competent authority. The Inquiry Committee finds that some of the newspapers have published the corrigendum. The Inquiry Committee directs all those newspapers who have not published the corrigendum, to publish the same, with same prominence, as that of the original news items. With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

**Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint with directions.

## Press Council of India

Sl.No. 36

File No. 14/350/17-18/PCI

### **Complainant**

Dr. Naim Ahmed  
Associate Professor,  
Department of Community Medicine and Public  
Health,  
King George's Medical University,  
Lucknow (U.P.)

### **Respondent**

The Editor,  
The Rastriya Sahara,  
Lucknow.

### **Draft Adjudication dated 26.9.2018**

This complaint dated 15.11.2017 has been filed by Dr. Naim Ahmed, Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow against the Editor, The Rastriya Sahara, Lucknow alleging publication of defamatory news item under the caption: "दो डाक्टरों का प्रमोशन निरस्त, नहीं बढ़ेगा वेतन" in its issue dated 28.9.2017.

It has been reported in the impugned news item that the members of the Executive Council found the complainant guilty of submitting forged certificate for seeking promotion. The Executive Council has ordered to recover the pay drawn by the complainant as Professor and to send the promotion related file to the Governor.

Denying the allegations levelled in the impugned news item, the complainant has submitted that on receiving an anonymous complaint disciplinary proceedings were initiated against him and a charge sheet, levelling the charge of submitting forged and fabricated teaching experience certificate, was issued. The Inquiry Committee submitted its report concluding that the teaching experience certificate issued by the concerned college, presented by the complainant was not valid for the purpose of promotion.

He has further submitted that the respondent editor misled by reporting that the certificate submitted for promotion was forged and frivolous to sensationalize news item. The reason for the said certificate being not valid was said to be non-recognition of Era's Lucknow Medical College for the period while the complainant was teaching there. The complainant submitted that he drew the attention of the respondent editor vide letter dated 12.10.2017, but received no response.

### **No Reply**

Show Cause Notice dated 11.12.2017 was issued to the respondent Editor, The Rastriya Sahara, but no response has been received.

### **Communication received from the complainant**

The complainant vide letter dated 18.8.2018 has informed the Council that he has received a reply dated 4.4.2018 from the Registrar, KGMU, Lucknow whereby it has specifically been clarified that he had never described the experience certificate in question as fake /forged but twisting his version publications were made. The Registrar only said that the mentioned certificate is not valid for promotion as per the observations given by the Inquiry Committee. He has further submitted that the publication against him is highly defamatory stands proved calling for strict action in accordance with the law.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Dr. Naim Ahmed appeared in person. Shri Kalanidhi, State Reporting Head represented the respondent.

The complainant is aggrieved by news item in different newspapers, in which the certificate produced by him for claiming promotion had been described as “fake”. It is the contention of the complainant that the certificate was not fake but has been found to be invalid by the competent authority. The Inquiry Committee finds that some of the newspapers have published the corrigendum. The Inquiry Committee directs all those newspapers who have not published the corrigendum, to publish the same, with same prominence, as that of the original news items. With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint

## Press Council of India

Sl.No. 37

File No. 14/348/17-18/PCI

<b>Complainant</b>	<b>Respondent</b>
Dr. Naim Ahmed Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow (U.P.)	The Editor, Amar Ujala, Lucknow.

### Adjudication dated 26.9.2018

This complaint dated 15.11.2017 has been filed by Dr. Naim Ahmed, Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow against the Editor, Amar Ujala, Lucknow allegedly for publication of defamatory news item under the caption: "केजीएमयू के दो डॉक्टरों के दस्तावेज ँर्जी, प्रमोशन निरस्त" in its issue dated 28.9.2017.

It has been reported in the impugned news item that the members of the Executive Council found the complainant guilty of submitting forged certificate for seeking promotion. The Executive Council has ordered to recover the pay drawn by the complainant as Professor and his salary increment has been stopped for one year.

Denying the allegations levelled in the impugned news item, the complainant has submitted that on receiving an anonymous complaint, disciplinary proceedings were initiated against him and a charge sheet, levelling the charge of submitting forged and fabricated teaching experience certificate, was issued. The Inquiry Committee submitted its report concluding that the teaching experience certificate issued by the concerned college, presented by the complainant was not valid for the purpose of promotion.

He has further submitted that the respondent editor has mislead by reporting that the certificate submitted for promotion was forged and frivolous to sensationalize news item. The reason for the said certificate being not valid was said to be non-recognition of Era's Lucknow Medical College for the period while the complainant was teaching there. The complainant submitted that he drew the attention of the respondent editor vide letter dated 12.10.2017, but no response was received.

Show Cause Notice dated 11.12.2017 was issued to the respondent Editor, Amar Ujala.

### Written Statement

The respondent Editor vide Written Statement dated 23.1.2018 has informed the Council that the impugned news item was a general news item and was published in good faith and on the basis of media briefing by the Registrar of KGMU. He has further submitted that it is admitted fact that there was some departmental enquiry regarding the experience certificate of the complainant and the same had given some adverse findings over the experience certificate and annual increment of the complainant. The impugned news was therefore substantially true and in no way defamed the complainant. The respondent submitted that they have no personal grudge or vendetta against the complainant and requested to dismiss the complaint.

A copy of the Written Statement was forwarded to the complainant for information on 19.2.2018.

### **Counter Comments**

The complainant vide Counter Comments dated 16.3.2018 while reiterating his complaint has alleged that the written statement submitted by the respondent is false, misconceived, wrong and denied. The complainant further alleged that the respondent published the impugned news item without verifying the facts and thereby tarnished his image. According to the complainant, the respondent himself admitted his guilt as mentioning some adverse finding by the Inquiry Committee with respect to his experience certificates. The complainant has requested the Council to take suitable action against the editor.

A copy of the counter comments was forwarded to the respondent on 30.7.2018 for information.

### **Communication received from the complainant**

The complainant vide letter dated 18.8.2018 has informed the Council that he has received a reply dated 4.4.2018 from the Registrar, KGMU, Lucknow whereby it has specifically been clarified that he had never described the experience certificate in question as fake /forged but twisting his version, publications were made. The Registrar only said that the mentioned certificate is not valid for promotion as per the observations given by the Inquiry Committee. He has further submitted that the publication against him is highly defamatory stands proved calling for strict action in accordance with the law.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Dr. Naim Ahmed appeared in person. Shri Amit Yadav, representative represented the respondent.

The complainant is aggrieved by news item in different newspapers, in which the certificate produced by him for claiming promotion had been described as “fake”. It is the contention of the complainant that the certificate was not fake but has been found to be invalid by the competent authority. The Inquiry Committee finds that some of the newspapers have published the corrigendum. The Inquiry Committee directs all those newspapers who have not published the corrigendum, to publish the same, with same prominence, as that of the original news items. With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint

## Press Council of India

Sl.No. 38

File No. 14/351/17-18/PCI

### **Complainant**

Dr. Naim Ahmed  
Associate Professor,  
Department of Community Medicine and  
Public Health,  
King George's Medical University,  
Lucknow (U.P.)

### **Respondent**

The Editor,  
Dainik Jagran I Next Hindi Newspaper,  
Lucknow.

### **Adjudication dated 26.9.2018**

This complaint dated 15.11.2017 has been filed by Dr. Naim Ahmed, Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow against the Editor, Dainik Jagran, I Next Hindi Newspaper, Lucknow alleging publication of defamatory news item under the caption: "□ जीवाड: 'रिवर्स गियर' मे दो टीचर" in its issue dated 28.9.2017.

It is reported in the impugned news item that the members of the Executive Council found the complainant guilty of submitting forged certificate for seeking promotion. The Executive Council has ordered to recover the pay drawn by the complainant as Professor and to send the promotion related file to the Governor.

Denying the allegations levelled in the impugned news item, the complainant has submitted that on receiving an anonymous complaint disciplinary proceedings were initiated against him and a charge sheet, levelling the charge of submitting forged and fabricated teaching experience certificate, was issued. The Inquiry Committee submitted its report concluding that the teaching experience certificate issued by the concerned college, presented by the complainant was not valid for the purpose of promotion.

He has further submitted that the respondent editor misled by reporting that the certificate submitted for promotion was forged and frivolous to make sensationalize news. The reason for the said certificate being not valid was said to be non-recognition of Era's Lucknow Medical College for the period while the complainant was teaching there. The complainant submitted that he drew the attention of the respondent editor vide letter dated 12.10.2017, but received no response.

A Show Cause Notice dated 11.12.2017 was issued to the respondent Editor, Dainik Jagran I Next Hindi Newspaper, but no response was received.

### **Written Statement**

The respondent Editor vide undated Written Statement informed the Council that the complainant has filed baseless complaint before Press Council of India by concealing several facts which are related to the detailed inquiry report. He has further submitted that the news was published on the basis of information given by the Secretary of the Executive Committee. A detailed Press release was also given to the reporters of various newspapers. The respondent submitted that the complainant himself has accepted in his complaint that his experience certificate was not valid and the same was not considered for the purpose of promotion. He has further requested the Council to dismiss the complaint.

A copy of the Written Statement was forwarded to the complainant for information on 16.2.2018.

### **Counter Comments**

The complainant vide Counter Comments dated 12.2.2018 has informed the Council that he disputes the offending news item as its contents were not the outcome of the Executive Council meeting. He has further submitted that the word used by the Editor i.e. □ जीवाड़ा is highly objectionable whereas the terms used by the Inquiry Committee with respect to experience certificate were “ineffective, illegal and void”. The complainant has requested the Council to take suitable action against the editor.

A copy of the Counter Comments was forwarded to the respondent editor for information on 16.3.2018.

### **Communication received from the complainant**

The complainant vide letter dated 18.8.2018 has informed the Council that he has received a reply dated 4.4.2018 from the Registrar, KGMU, Lucknow whereby it has specifically been clarified that he had never described the experience certificate in question as fake /forged but twisting his version publications were made. The Registrar only said that the mentioned certificate is not valid for promotion as per the observations given by the Inquiry Committee. He has further submitted that the publication against him is highly defamatory stands proved calling for strict action in accordance with the law.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Dr. Naim Ahmed appeared in person. Shri Sandeep Panday, Correspondence represented the respondent.

The complainant is aggrieved by news item in different newspapers, in which the certificate produced by him for claiming promotion had been described as “fake”. It is the contention of the complainant that the certificate was not fake but has been found to be invalid by the competent authority. The Inquiry Committee finds that some of the newspapers have published the corrigendum. The Inquiry Committee directs all those newspapers who have not published the corrigendum, to publish the same, with same prominence, as that of the original news items. With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

### **Held**

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

## **Press Council of India**

Sl.No. 39

File no. 14/346/17-18/PCI

### **Complainant**

Dr. Naim Ahmed  
Associate Professor,  
Department of Community Medicine and  
Public Health,  
King George's Medical University,  
Lucknow (U.P.)

### **Respondent**

The Editor,  
The Hindustan,  
Lucknow.

### **Adjudication dated 26.9.2018**

This complaint dated 15.11.2017 has been filed by Dr. Naim Ahmed, Associate Professor, Department of Community Medicine and Public Health, King George's Medical University, Lucknow against the Editor, The Hindustan, Lucknow for allegedly publishing defamatory news item under the caption: "□ र्जीवाड़ा करने वालों पर कार्यपरिषद् की बैठक मे लिए गए अहम □ सले/शिक्षको के प्रमोशन पर ब्रेक" in its issue dated 28.9.2017.

It has been reported in the impugned news item that the members of the Executive Council found the complainant guilty of submitting forged certificate for seeking promotion. The Executive Council has ordered to recover the pay drawn by the complainant as Professor and to send the promotion related file to the Governor.

Denying the allegations levelled in the impugned news item, the complainant has submitted that on receiving an anonymous complaint, disciplinary proceedings were initiated against him and a charge sheet, levelling the charge of submitting forged and fabricated teaching experience certificate, was issued. The Inquiry Committee submitted its report concluding that the teaching experience certificate issued by the concerned college, presented by the complainant was not valid for the purpose of promotion.

He has further submitted that the respondent editor misled by reporting that the certificate submitted for promotion was forged and frivolous to make sensationalized news. The reason for the said certificate being not valid was said to be non-recognition of Era's Lucknow Medical College for the period when the complainant was teaching there. The complainant submitted that he drew the attention of the respondent editor vide letter dated 12.10.2017, but received no response.

Show Cause Notice dated 11.12.2017 was issued to the respondent Editor, The Hindustan, Lucknow.

### **Written Statement**

The respondent Editor vide written statement dated 23.1.2018 has informed the Council that the news article was published based on supporting documents available with concerned reporter. He has further submitted that the focus of the news article was clearly about the forged experience certificate used by the doctors to get promotion in job and the

Inquiry report submitted by disciplinary committee was carefully examined before publication of news. So far as anonymous complaint claimed by the complainant is concerned, the respondent editor has submitted that the complaint was from Anti-corruption Department not from any anonymous, as it is the concerned authority looking after the unfair means in the government jobs. The respondent editor has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant for information on 19.2.2018.

### **Counter Comments**

The complainant vide counter comments dated 16.3.2018 has informed the Council that the respondent editor has not stated any basis for publication in the preliminary objections nor has produced any documents based on which the news article was published. He has further submitted that the genuineness of his experience certificate has not been questioned by the Inquiry Committee, merely its validity for using it for promotion has not been accepted by the Committee which has been challenged by him before the higher authorities. He has submitted that there was no complaint from the anticorruption department but it was from an anonymous, fictitious NGO through an unsigned letter with no valid address. The complainant further submitted that a Notice was duly served as per status report of the consignment uploaded by the Department of Indian posts, but received no reply. He has requested the Council to take action against the respondent Editor.

A copy of the counter comments was forwarded to the respondent editor for information on 9.4.2018.

### **Communication received from the complainant**

The complainant vide letter dated 18.8.2018 has informed the Council that he has received a reply dated 4.4.2018 from the Registrar, KGMU, Lucknow whereby it has specifically been clarified that he had never described the experience certificate in question as fake /forged but twisting his version publications were made. The Registrar only said that the mentioned certificate is not valid for promotion as per the observations given by the Inquiry Committee. He has further submitted that the publication against him is highly defamatory stands proved calling for strict action in accordance with the law.

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

The matter came up for hearing before the Inquiry Committee on 28.8.2018 at Lucknow. Dr. Naim Ahmed appeared in person. Shri Rajesh Ojha, Advocate represented the respondent.

The complainant is aggrieved by news item in different newspapers, in which the certificate produced by him for claiming promotion had been described as "fake". It is the contention of the complainant that the certificate was not fake but has been found to be invalid by the competent authority. The Inquiry Committee finds that some of the newspapers have published the corrigendum. The Inquiry Committee directs all those newspapers who have not published the corrigendum, to publish the same, with same prominence, as that of the original news items. With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

**Held**

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

## **Press Council of India**

SI No. 40

F.No. 14/402/17-18-PCI

### **Complainant**

Sunil Kumar Yadav  
Havlok Line  
Dilkusha, Lucknow

### **Respondent**

The Editor  
Amar Ujala,  
Lucknow, U.P.

## **ADJUDICATION**

**26.9.2018**

This complaint dated 13.12.2017 has been filed by Shri Sunil Kumar Yadav, Lucknow, against Amar Ujala for publication of a news item dated 8.10.2017 under the caption “परागमेंपकडागयादूधसंगपानी-ईटकीतौलकाखेल”, which alleging to the complainant is totally false and fabricated. It is reported in the impugned news item that on Friday evening at 7.30 pm when milk tank arrived with the truck at Parag Dairy, the guard in order to check the truck asked the driver to open the truck bonnet and found three containers therein each filled with water and bricks. Further the news item reports that the General Manager, Lucknow Milk Association, endorsed that the driver was caught with three containers containing water and bricks immersed into the milk to raise level of content in the container and thus the truck was confiscated and notice was issued to the complainant. The news item further reports that when content of one of the trucks was being investigated by the guard, the other truck was standing at the gate its driver drove the truck away from the place and hence suspected that even the milk in the second truck was also adulterated. However, the complainant claims that their second milk tanker truck was not on duty that day.

The complainant submitted that two milk tanker trucks no. U.P.32 &U.P.07278 registered in his spouse's name Smt. Suman Yadav with Lucknow Milk Association (Parag Dairy) assigned everyday to collect milk from local villages which is supervised by the complainant himself.

The complainant however, claims that no bricks were found in the container as reported in the alleged news item and the untrue story was published with malafide intention to defame him. He also claims that as reported in the news item no statement was given to the newspaper in the matter by the General Manager of Lucknow Milk Association and a copy of letter issued by the G.M. Lucknow Milk Association is submitted as evidence.

The complainant further submits that a letter requesting for publishing clarification was sent to the respondent on 10.10.2017 but no action has been taken on the same. The complainant requested the Council to take necessary action in the matter.

A copy of the complaint was also received through Ministry of I&B.

### **Written Statement**

In response to the Show Cause Notice dated 8.1.2018 the respondent vide letter dated 3.8.2018 filed its written statement in the matter and stated that the averments made in the complaint are not admitted except that there appeared a news item. According to the respondent the publication of the news item is neither objectionable nor the newspaper or editor has offended against the standards of journalistic ethics for public taste not the editor has committed any professional misconduct. The impugned news items were objective and fair reporting made in the good faith in discharge of public duty devoid of any malice and there is no breach of any journalistic ethics as alleged under the complaint. The respondent

stated that the impugned news item was a general news item and was published within the journalistic norms & ethics, in good faith and based on the complaint made by the General Manager of Parag Dairy to the SHO, Kotwali, Hazratganj, Lucknow. They have not published anything on their own only the content of complaint and information received from the competent authorities has been published. The object of publication of impugned news items was to make the general public aware about the incident happening in the society and not to defame the complainant. The respondent prayed the Council to dismiss the complaint.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. There was no appearance on behalf of the complainant. Shri Naresh Kumar, Senior Reporter along with Shri Neeraj Kapoor Advocate and Shri Karan Heera, Deputy Manager appeared for the respondent paper, Amar Ujala.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint, the written statement and the connected papers. From perusal of the record, it appears that the news item has been published on the basis of a report given to the police. In view of the aforesaid, the Inquiry Committee is of the opinion that the grievance made by the complainant is misconceived.

The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

**Held**

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

## **Press Council of India**

Sl. No. 41

F.No. 14/397/17-18-PCI

Smt. Latesh Rani,  
W/o Shri Avnindra Snatak,  
37, MES Colony,  
Police Station – Izzat nagar,  
Janpad – Bareilly (U.P.)

The Editor,  
Amar Ujala,  
Bareilly, U.P.

### **ADJUDICATION**

**26.9.2018**

#### **Facts :**

This complaint dated 05.11.2017 has been filed by Smt. Latesh Rani, Bareilly (U.P.) against the editor, Amar Ujala alleging publication of false and baseless news item in its issues dated 04.11.2017 and 05.11.2017 under the captions “प्रिन्सिपलनेकक्षादोमेंपढ़नेवालीमासूमसेकीदरिंदगी” and “मासूमसेअश्लीलहरकतकरनेवालाप्रिन्सिपलगयाजेल” respectively.

It is reported in the impugned news item dated 04.11.2017 that in a private play school, Principal has molested a second class student and family members of student have filed a complaint against the Principal. It is further reported that the student apprised her mother that Principal called her and made her sit on his lap and touched her private parts. The Police has arrested him and investigation is going on. It is informed by Shri Kamrool Hasan, Inspector, Izzatnagar Police Station that FIR has not been registered and it will be registered after confirmation of allegations.

It is reported in the impugned news item dated 05.11.2017 that husband of complainant has been arrested for molesting a second class student and will be medically examined. The Principal has denied the allegations levelled against him but police took him in custody.

The complainant while denying the allegation has stated that her husband is a senior reporter in Rashtriya Sahara and also Manager of Medhavi Public School. She has further stated that the parents of the student have not paid the school fee and when they were asked to deposit fee they levelled false allegation against her husband. She has also stated that the respondent has published baseless, false and misleading news item without verifying the facts from them. She has also stated that due to publication of impugned news item, image of her family and school has been tarnished. She drew attention of the respondent on 05.11.2017 but no response has so far been received.

#### **Written Statement**

The respondent vide communication dated 20.8.2018 filed his written statement and submitted that the publication was on the basis of the FIR and not on the basis of perception of the reporter. The impugned news item was a general news and was published within the journalistic norms & ethics, in good faith and based on the FIR No.0900 of 2017 which was lodged at Police Station, Izzatnagar, under Section 354 & 504 of the IPC in which complainant's husband is named as accused. He has submitted that there was no animus in their mind and the same has been published with due care and caution. He has further submitted that the publication of the news item is neither objectionable nor they have offended against the standards of journalistic ethics or public taste. The impugned news item was objective and fair reporting made in good faith in discharge of public duty devoid of any

malice and there is no breach of any journalistic ethics as alleged. The respondent requested the council to dismiss the complaint.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. Shri Neeraj Kapoor, Advocate appeared for the respondent Amar Ujala along with Shri Karan Heera, Deputy Manager.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and the connected papers and is of the opinion that the impugned news item is based on a report given to the police.

In view of the aforesaid the Inquiry Committee recommends for dismissal of the complaint.

**Held**

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

## **Press Council of India**

Sl. No. 42

F.No. 14/400/17-18-PCI

### **Complainant**

Mr Arif Saqlain  
Managing Director  
Lucknow City Transport Service Ltd.  
Kendriya Nagar Bus Terminal Charbagh,  
Lucknow.

### **Respondent**

The Chief Editor  
Swatantra Bharat  
Lucknow, U.P.

## **ADJUDICATION**

**26.09.2018**

This complaint dated 2.11.2017 has been filed by Mr Arif Saqlain, Managing Director, Lucknow City Transport Service Ltd., addressed to the respondent newspaper, Swatantra Bharat against publication of allegedly misleading news item in its newspaper issue dated 27.10.2017, captioned – “*dagi R.M. ko ‘M.D’. ka tohfa*”. The impugned news items reports that *Mr Arif Saqlain, booked for a grave offence during his tenure of service in Aligarh as R.M. is promoted as M.D. at Lucknow City Transport Service Ltd. which other officers of the Department did not take in a good way as the question remains how can an officer accused of committing grave offence be granted promotion to the post of M.D.* The complainant submitted the news item carries false and concocted facts that adversely affects his reputation. He further informed that the reporter did not attempt to record complainant’s version before publishing the news item. The matter referred in the alleged impugned news item is sub-judice in the Court of Law and the news item is a biased reporting published with malafide intention.

The complainant requested the editor to carry out an inquiry and take necessary action to penalise the wrongdoer and to publish a clarification, but received no response.

The complainant has requested the Council to take necessary action in the matter vide communication dated 16.1.2018.

### **No Reply Filed by the Respondents**

A Show Cause Notice dated 9.2.2018 has been issued to the respondent. However, no response has been received.

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

The matter came up for hearing before the Inquiry Committee in its meeting held on 29.8.2018 at Lucknow Camp.

The complainant appeared in person. Shri Sanjay Singh Srivastava, Publisher appeared for the respondent, Swatantra Bharat, Lucknow.

The complainant, Mr. Arif Saqlain appears and states that his grievance has been remedied by the newspaper itself and therefore he wants to withdraw the complaint. The Inquiry Committee accedes to his prayer and permits the withdrawal of the complaint.

**Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to close the matter being withdrawn by the complainant.

**Press Council of India**

Sl. No.43

F.No. 14/403/17-18-PCI

**Complainant**

Shri Sanjay Gupta  
Shahjahanpur,  
Uttar Pradesh.

**Respondent**

The Editor  
Hindustan  
Bareilly Edition  
U.P.

**ADJUDICATION**

**26.09.2018**

This complaint dated 27.11.2017 has been filed by Shri Sanjay Gupta, Shahjahanpur, Uttar Pradesh, against the editor, Hindustan, Bareilly for publication of a allegedly defamatory news item under the caption “**Vivadit Jameen par Nirman se hadkamp**”, in its issue dated 25.11.2017. The news report states that encroachment of a Nagar Palika land for construction thereon for religion purposes has led to turmoil like situation in Administration. However, the police has stopped the construction and three persons were detained and released afterwards. It is suspected that a nexus of political leaders along with palika authorities are working behind this illegal construction and thus nobody objected against the encroachment of this expensive land. Initially, this land was encroached by a person who built shops in the area but the Nagar Palika fought a case and after winning the case those illegal shops were removed from there. Later, the same land has been encroached by another person who started a construction on it for religious purpose.

According to the complainant, this news was published ignoring the directions of the Civil Judge, Tilhar Dist, Shahjahanpur. The complainant claims that the news can have an adverse affect on the local elections. The news item was published without any pre-publication verification, is allegedly biased and defamatory in nature. The complainant wrote to the respondent in this regard, but did not receive any response on the same.

The complainant has requested the Council to take necessary action in the matter.

**No Reply Filed by the Respondent**

A Show Cause Notice dated 8.2.2018 has been issued to the respondent newspaper. However, no response has been received in the matter.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Luckow. Shri Sanjay Gupta, the complainant appeared in person. There was no appearance on behalf of the respondent newspasper, Hindustan, U.P.

The Inquiry Committee has heard the complainant and has perused the complaint. In sum and substance, the grievance made by the complainant is that the news item published is in violation of the Order of the Civil Court. If that be so, the remedy lies somewhere else. The complainant, if so advised, may take recourse to that remedy.

The Inquiry Committee, accordingly, directs for disposal of the case with the aforesaid observations.

**Held**

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

## **Press Council of India**

Sl. No. 44

F.No. 14/298/17-18-PCI

Shri Suresh Deepak,  
Nayab Tehrir,  
S/o Shri Dayal Saran,  
15, New Subhash Nagar,  
2<sup>nd</sup> Lawyer's Colony,  
Agra – 282005.

The Editor,  
The Amar Ujala,  
Agra, U.P.

### **ADJUDICATION** **26.9.2018**

This complaint dated 19.09.2017 has been filed by Shri Suresh Deepak, Nayab Tehrir, Agra against the Editor, Amar Ujala for allegedly publishing false, fabricated, misleading and defamatory impugned news items in its issues dated 21.06.2017 and 22.06.2017 under the captions “चतुर्थश्रेणीकर्मचारीनेखरीदी 2.5 करोड़कीसंपत्ति” and “निगमकर्मकेपासहैशहरमें 13 प्लॉट”.

It has been reported in the impugned news item dated 21.06.2017 that a class IV employee of Municipal Corporation purchased properties worth Rs. 2.5 crores in the last five years. Even the Vigilance officers were stunned on receiving the records from Tehsil. It has been further stated that Vigilance investigation against him is going on for having disproportionate assets. It has also been reported that earlier he was holding charge of Revenue Inspector in Municipal Corporation. It has been alleged that the complainant had also made crores of rupees by misappropriating in the taxes of hospitals, hotels, multi-story buildings. The impugned news item dated 22.06.2017 states that the complainant has thirteen plots in town having a luxury bungalow area measuring to 500 square meter in New Subhash Nagar near Lawyer's Colony.

Denying the allegation levelled in the impugned news item, the complainant has alleged that the respondent has published false and fabricated news item without any evidence with a view to tarnish his image with malafide intentions. The complainant has submitted that the respondent also published impugned news items under the captions “हथियारोंकाशौकिनभीहैनायबमोहरिर”, “□ इलॉमेंद□ नहोगईनायबमोहरिरकीजांचे” and “आगरानगरनिगमकर्मकेपासहैशहरमें 13 प्लॉट”. The complainant vide letters dated 21.06.2017 and 22.06.2017 drew the attention of the respondent towards the impugned news items and requested him to provide evidences on the basis of which he has published the news item but received no response. He has requested the Council to take necessary action in the matter.

### **Written statement**

The respondent filed its written statement on 20.8.2018 and submitted that the publication of the news item is neither objectionable nor the newspaper or editor has offended against the standards of journalistic ethics or public taste nor the editor has committed any professional misconduct. The impugned news items were a general news item and was published within the parameters of journalistic norms & ethics, in good faith and based on the report of the vigilance department and published without any malice against anyone. The respondent submitted that the vigilance department provided the information regarding the properties and they published only the facts of report they have no interest in personnel affairs of anyone. The respondent submitted that they have no personal grudge or vendetta against the complainant. He has requested the Council to dismiss the complaint.

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

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. The complainant appeared in person. Shri Neeraj Kapoor, Advocate appeared for the respondent newspaper, Amar Ujala.

The Inquiry Committee has heard the complainant and the representative of the respondent and has perused the complaint, the written statement and other connected papers. The Inquiry Committee is of the opinion that there were basis for the respondent newspaper to publish the impugned news item. The Inquiry Committee is of the opinion that the respondent newspaper while publishing the news item has not committed breach of any journalistic ethics, calling for action by the Council.

The Inquiry Committee, accordingly, recommends for the dismissal of the complaint.

### **Held**

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

## **Press Council of India**

Sl. No. 45

F.No. 14/297/17-18-PCI

Shri Suresh Deepak,  
Nayab Tehrir,  
S/o Shri Dayal Saran,  
15, New Subhash Nagar,  
2<sup>nd</sup> Lawyer's Colony,  
Agra – 282005.

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

### **ADJUDICATION**

This complaint dated 19.09.2017 has been filed by Shri Suresh Deepak, Nayab Tehrir, Agra against the Editor, Dainik Jagran alleging publication of false and fabricated news item in its issue dated 20.06.2017 under the caption “घोटालेबाजोंकीमलाईदारपोस्टिंगकीसिफ़ारिश”.

It is reported in the impugned news item dated 20.06.2017 that Shri Suresh Kumar Deepak has been running a tax scam in Lohamandi ward of worth Rs. 10 Lakhs and due to scam, he has been transferred to transport/vehicle section by the then Municipal Commissioner. A complaint has also been received against Shri Suresh Deepak for having property more than income. The matter was investigated by the then Magistrate and on her report Government has ordered investigation by Vigilance Department, Agra. It is further reported in the impugned news item that now once again the said Suresh Deepak may be posted at House Tax Department. It is also reported that an MLA of BJP is trying that Shri Deepak be transferred in house tax department again and for this he has influenced an officer in the Corporation.

Denying the allegation levelled in the complaint, the complainant has stated that the respondent has published false and fabricated news item. He has further stated that the respondent published the news item to tarnish his image with malafide intentions. The complainant vide letters dated 23.06.2017 and 27.07.2017 drew the attention of the respondent Editor towards the impugned news item and requested him to provide evidences on the basis of which he has published the news item but received no response.

A Show Cause Notice was issued to respondent newspaper on 12.12.2017 for Written Statement.

### **Written Statement**

The respondent vide his letter dated 01.01.2018 has filed Written Statement in the matter wherein he has stated that the contentions and submissions of the complainant are specifically denied as being false, frivolous and incorrect. He has further submitted that the complainant has suppressed the following facts :

1. That an FIR No. 0318 dated 15.04.2017 under Section 420, 456, 467, 471 and 120 has been registered against him at police station Hari Parbat.
2. That the enquiry by then City Magistrate was conducted against him in respect of movable and immovable properties possessed by him wherein he was found guilty.
3. That vide order dated 10.03.2011 the then Municipal commissioner suspended him for irregularities relating to tax and appointed enquiry officer.
4. That he was charge-sheeted vide charge sheet dated 27.08.2016.

5. That the reports regarding his disproportionate income were published in various newspapers many times and he never controverts the same.

The respondent submitted that the news in question pertains to the pressure created by some person for the transfer of the complainant and nothing incriminating was imputed in the same in respect of him. He has further submitted that they neither violated any journalistic norms nor published the impugned news item to tarnish the image of the complainant. The news was published in good faith in public interest. He has requested the Council to dismiss the complaint.

A copy of Written Statement was forwarded to the Complainant on 29.01.2018 for Counter Comments.

### **Counter Comments**

The complainant vide Counter Comments dated 30.01.2018 has stated that he is not satisfied with the evidences provided by the respondent. He has further stated that the evidences provided by the respondent are fabricated.

A copy of Counter Comments was sent to respondent on 12.02.2018 for information.

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

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. Shri Suresh Kumar Deepak, the complainant appeared in person. The respondent newspaper was represented by his representative.

The Inquiry Committee has heard the complainant and the representative of the respondent and has perused the complaint, the written statement and other connected papers. The Inquiry Committee is of the opinion that there were basis for the respondent newspaper to publish the impugned news item. The Inquiry Committee is of the opinion that the respondent newspaper while publishing the news item has not committed breach of any journalistic ethics calling for action by the Council.

The Inquiry Committee, accordingly, recommends for the dismissal of the complaint.

### **Held**

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

## **Press Council of India**

Sl. No. 46

F.No. 14/392/17-18-PCI

Shri Umesh Kumar Singh,  
Superintendent of Police,  
Civil Lines, Gonda

Vs.

The Editor,  
Amar Ujala, , Lucknow  
Uttar Pradesh

### **ADJUDICATION**

This complaint dated 06.12.2017 has been filed by Shri Umesh Kumar Singh, Superintendent of Police, Gonda against the editor, Amar Ujala alleging publication of false and misleading news item in its issue dated 04.11.2017 under the caption “शासनका रमाननहीमानरहेकप्तान”.

It has been reported in the impugned news item that Shri Aditya Nath Yogi, Chief Minister of Uttar Pradesh has ordered to suspend three Station House Officers posted in Umri Begamganj and Shri Sadanand Singh posted in Karnelganj due to illegal mining activities in the State. It has been further reported in the impugned news item that a departmental inquiry was initiated against them. It has also been reported that Shri Umesh Kumar Singh while giving clean chit to them has stated that all three SHOs had no connection with illegal mining and therefore he has not suspended them.

Denying the allegation, the complainant has alleged that the impugned news item is totally false and misleading. According to the complainant, no such suspension orders were issued by the Office of the Hon'ble Chief Minister. The complainant also denied having given any statement to the reporter of Amar Ujala as quoted in the newspaper. He has further stated that the respondent has published a false, frivolous, baseless news item to tarnish his image.

The complainant vide Notice dated 05.11.2017 has drawn attention of the respondent towards the impugned news item and requested to publish the rejoinder but received no response. He has requested the Council to take necessary action in the matter.

### **No Written Statement**

Show Cause Notice was issued to the respondent editor, Amar Ujala on 02.02.2018 but no response has been received.

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

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. The complainant was not present. Shri Neeraj Kapoor, Advocate and Shri Karan Heera, Deputy Manager and Shri Arun Mishra, Bureau Chief, appeared for the respondent paper Amar Ujala.

Despite service of notice, the complainant has not chosen to appear, the respondent is represented by his counsel. In the absence of the complainant, the Inquiry Committee is not inclined to proceed in the matter any further.

The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

**Held**

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

**Press Council of India**

Sl.No. 47

File No.14/497-498/17-18-PCI.

**Complainant**

Shri Ramvir Singh Parmar,  
District President,  
Bhartiya Janata Party,  
Hathras (U.P.)

**Respondents**

The Editor,  
Amar Ujala,  
Aligarh (U.P.).

The Editor,  
Hindustan,  
Aligarh (U.P.)

**Adjudication dated 26.9.2018**

This undated complaint, received on 13.2.2018, has been filed by Shri Ramvir Singh Parmar, District President, Bhartiya Janata Party (BJP), Hathras (U.P.) against (i) Amar Ujala; and (ii) Hindustan, Aligarh for allegedly publishing false, misleading and defamatory news items under the captions “भाजपा नेता के खिलाफ कार्रवाई की मांग” and “वकीलों ने की कार्रवाई की मांग” in their issues dated 25.11.2017. It has been reported in the impugned news items that the Revenue Bar Association, Hathras in its meeting considered an application of Ambika Devi and demanded inquiry against a BJP leader. According to the impugned news items, the resident of Bhopatpur, Ambika Devi alleged that the family members of a BJP leader illegally encroached her land despite stay order. She further alleged that they manhandled and misbehaved with her and no action has been taken by the police.

Denying the allegation, the complainant has alleged that the respondent has published false, misleading and defamatory news items. According to the complainant, neither he nor any member from BJP encroached any land. The complainant has stated that the impugned news items have damaged his and his party's image. The complainant has alleged that no pre-publication verification was done by the respondent papers, which is violation of journalistic ethics.

The complainant has written to the respondent-editors on 27.11.2017 for clarification but received no reply. He has requested the Council to take necessary action in the matter.

Show-cause notices were issued to the (i) Amar Ujala and (ii) Hindustan, Aligarh on 23.4.2018.

**Written Statement of Amar Ujala**

The counsel for the Amar Ujala vide his written statement dated 18.5.2018 while denying the allegation has stated that the complaint is not maintainable. According to him, the impugned news item was completely objective and published in good faith in discharge of public duty devoid of any malice. The impugned news item was a general news and was published on the basis of general meeting held in Hathras of Revenue Bar Association. He has further stated that the objective of the impugned news item was to make the general public aware about the incident happening in the society and not to defame the complainant. The respondent has also stated that he has no personal grudge or vendetta against the complainant. He has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 24.5.2018.

No response has been received from the respondent-Editor, Hindustan.

### **Counter Comments**

The complainant vide his counter comments dated 25.6.2018 while reiterating his complaint has pointed out that the written statement of Amar Ujala was not authenticated by its Editor nor any affidavit submitted in this regard, thus the same is liable to be dismissed. The complainant has alleged that the impugned news item was published without any pre-publication verification and is totally misleading, prejudiced and defamatory. He has requested the Council to take disciplinary action against the respondent papers.

A copy of the counter comments was forwarded to the respondent-Amar Ujala on 17.7.2018 for information.

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

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. Shri Ramveer Singh Parmar along with Shri Bhaskar Singh, Advocate appeared on behalf of the complainant. Shri Neeraj Kapoor, Advocate, and Shri Karan Heera, Dy. Manager represented the respondent newspaper, "Amar Ujala".

In the impugned news item, certain allegations have been levelled against the complainant. The Inquiry Committee enquired from the respondent, as to whether any version of the complainant was taken before publication of the impugned news item. The representative of Amar Ujala is not in a position to satisfy the Inquiry Committee that such a version was taken. Nobody has appeared on behalf of the Hindustan. In view of the aforesaid, the Inquiry Committee is of the opinion that the impugned news item has been published without taking the version of the complainant and thereby the respondents have violated the norms of Journalistic conduct. Accordingly, the Inquiry Committee recommends that the respondent newspapers be warned and advised to be careful in future.

The Inquiry Committee, accordingly, recommends for disposal of the complaint with the aforesaid directions and advise to the papers.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to warn the papers and advising them to be careful in future.

**Press Council of India**

Sl.No. 48

File No.14/404/17-18-PCI.

**Complainant**

Dr. Satish Kumar,  
Superintendent of Police (Rural),  
Office of the Sr. Superintendent of Police,  
Lucknow (U.P.)

**Respondents**

The Editor,  
Dainik Jagran,  
Lucknow (U.P.)

**Adjudication dated 26.9.2018**

This complaint dated 4.12.2017 has been filed by Dr. Satish Kumar, Superintendent of Police (Rural), Office of the Superintendent of Police, Lucknow (U.P.) against “Dainik Jagran” for alleged publication of false, misleading and defamatory news item under the caption “पुलिस की पिटाई से किसान की मौत” in its issue dated 15.11.2017. It has been reported in the impugned news item that the police arrested a farmer, Balram Singh for alleged gambling and snatched Rs.8,000/-. It has been further reported that the police had brutally beaten him so as to forcefully make him confess the crime but later he died in the hospital. It has been also reported that due to terror of police, the victim was cremated by his family without post-mortem.

While denying the allegation levelled in the impugned news item, the complainant has alleged that the impugned news item is totally false and misleading. According to the complainant, the victim and nine other were arrested by the Police Station-Mal for playing gambling on 11.11.2017 and they all were released on bail same day. While denying the allegation of manhandling with them, the complainant has stated that the victim was already sick and on investigation it was found that the victim was alcoholic and in the medical certificate also mentions that he has died due to Alcoholic Cirrhosis. The complainant denied any conversation with the respondent. He has requested the Council to take necessary action in the matter.

Show-cause notice was issued to the Editor, Dainik Jagran, Lucknow on 17.4.2018.

**Written Statement**

The Editor, Dainik Jagran, Lucknow vide his written Statement dated 3.7.2018 while denying the allegation has stated that the complaint is totally baseless. The respondent has stressed that the victim was brutally beaten up by the police but no post-mortem was done in the influence of the police. The respondent has stated that the other leading newspapers also published the news item along with photograph but neither the complainant nor the Police Station Mal contradicted the same. The respondent further stated that he has sufficient evidence and also has video recording statement of deceased's wife and daughter with regard to the impugned news item. The respondent further stated that the impugned news item is based on facts and the police filed this complaint with a view to save their image. He has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 17.7.2018.

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

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. Shri Saurabh Shukla, Reporter, Dainik Jagran along with Shri Rajesh, Admin, Dainik Jagran represented the respondent.

Despite service of notice, the complainant Superintendent of Police has not chosen to appear. The Inquiry Committee has perused the complaint, the Written Statement and connected papers and finds no substance in the grievance of the complainant.

The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

### **Held**

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

**Press Council of India**

Sl.No. 49

14/448/17-18-PCI

**Complainant**

Dr Ajay Pal  
Superintendent of Police  
Shamli.

**Respondent**

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

**Draft Adjudication dated 26.9.2018**

This complaint dated 29.12.2018 addressed to the Editor/CEO of Jagaran Prakashan Ltd., Sarvodaya Nagar, Kanpur, and copy enclosed to PCI has been filed by Dr Ajay Pal, Superintendent of Police, Shamli against the Editor, Dainik Jagran for alleged publication of untrue and concocted facts in news item regarding an incident which took place in Shamli captioned as “*Chedchad se pareshan B.A. ki chatra bus se kudi*” (on being molested a B.A. student jumped out of a bus), in its issue dated 29.12.2017. The alleged impugned news item states that a female student of Degree College was molested in a bus by a boy. Petrified student then jumped out of the bus and took shelter in villager’s house. The police arrived on being informed and arrested the accused person.

However, the complainant claims that the content under the given caption is untrue and is a concocted representation of the truth. According to the Police Station Incharge of Babri, Janpad, Shamli, on 28.12.2017 a girl named Kumari Jyoti was travelling in a bus. Later a boy named Sonu boarded the same bus and both had a heated argument over a bus seat when Sonu verbally abused her. Other passengers of the bus opposed the behaviour of the boy and supported Kumari Jyoti. Sonu was compelled to leave the bus, however before he deboarded, Sonu threatened Kumari Jyoti with life on which a complaint was filed at the Police Station by father of Kumari Jyoti. Accused Sonu was arrested on the basis of the complaint. The complainant has expressed displeasure on the alleged misrepresentation of facts and has stated that such representation of false facts not only mislead reader for only creates law and order situation and depletes the credibility of the newspaper. The complainant, therefore, requested the Council to take necessary action in the matter.

**No Reply Filed by the Respondent**

In response to the Show Cause notice dated 4.4.2018 no response has been filed till date.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow. Neither the complainant nor the respondent has chosen to appear.

Despite service of notice, the complainant has not chosen to appear. In the absence of the complainant, the Inquiry Committee is not inclined to look into the grievance.

The Inquiry Committee, accordingly, recommends for the dismissal of the complaint.

**Held**

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

## Press Council of India

Sl.No. 50

F.No. 14/517/17-18-PCI

### **Complainant**

Shri Narendra Kumar Gupta,  
Bijnor  
Uttar Pradesh.

### **Respondent**

The Editor/Publisher/Owner & Sub-Editor  
Shah Times  
Swami Shah Publication Pvt. Ltd.  
Meerut Road, Muzaffarnagar, U.P.

### Adjudication dated 26.9.2018

This complaint dated 23.2.2018 has been filed by Shri Narendra Kumar Gupta, Dhampur, Bijnor, U.P. against the Editor/Publisher/Owner & Sub-Editor, Shah Times, Swami Shah Publication Pvt. Ltd., Muzaffarnagar, U.P.

The complainant submitted that he is an Income Tax Officer and Manager of Sikhar Sishu Sadan School, Dhampur. Authorities of Sikhar Sishu Sadan School took a decision to extend a branch of the school on the Dhampur - Nehtor road to cater quality education to the students of Dhampur so that they can avoid the hardship of travelling out of Dhampur for higher studies. However due to some legal issues, the approval on school's design has been put on hold. The legal issue that are raised is a part of the process.

According to the complainant, reporter, Shah Times approached him and demanded an amount of rupees two lakhs and threatened with publication of false reports on the school construction which would cost the school authority heavily. Not acceding to the demands of the respondent resulted in publication of several impugned news items in Shah Times daily. The details are given below.

Sl. No.	Caption	Dated	Brief
1.	Navagat D.M. ke samne chunoiti	3.2.2018	This news item reports that it will be a big challenge for the newly posted DM, to collect the amount of Rupees 88 lakh from Sikhar Sishu Sadan School who have been fined under the Impact Act by Viniyami Vibhag. The file has been shelved for long by the Yogi Government and nobody stopped the illegal construction of the building. Now with the new posting of the DM, a meeting will be held on the matter and after three years of delay it will be finally decided whether the School will be exempted from the fine or not.
2.	Sikhar school prakaran – 88 lakh se bachne ko dus lakh rupaye rishwat mangne ka arop	12.05.2018	
3.	Sikhar School prabandhan ka ek aur karnama ujar	9.12.2017	This news item reports that the manager of Sikhar Sishu Sadan School is misusing the funds of the school. The property was bought spending fees collected from school students was utilised by the manager for starting construction of his own Trust named Sahu Pyare Lal Memorial Trust.

			The school has been fined with an amount of rupees 88 lakh by the Govt. Department for initiating construction without prior permission. The school authority is accused of being corrupt. Education of children are at stake.
4.	Chakroad ka kar dia benama, do mah bad bhi karbai sunya	8.6.2017	This reports that Dr. Shankar Lal filed a complaint against the accused for transferring land deed of Chakroad property with the D.M. The D.M. in turn has ordered for an investigation.
5.	Sikhar School ki teesri appeal High Court main kharij	5.6.2017	This news item reports the High Court's stand in the matter of Sikhar Sishu Sadan School. It further talks about how the school has initiated an illegal construction without taking prior permission from the concerned Govt. Department. The Court refused any relief to the petitioner.

Other related impugned news items:

6.	Yogi sarkar ko batta laga rahay hain officer	20.12.2017
7.	Binamiyet vibhag ki baithak stagit, prabandhan ko jhatka.	14.12.2017
8.	Impact Act se bachane ke lia bhiniyमित seshtra ke khel ka khul;asa	9.12.2017
9.	Shiv Sena Ki school ke avyedh nirman ko dhyasth karane ki mang	1.11.2017
10.	Bhu upayog badalne ko panjikanan jaruri	1.11.2017
11.	Sikhar school ki prabandhan se hamraj prasasan	23.10.2017
12.	Sikhar School dushri Apeakl bhi Kharij	8.5.2017
13.	School nirman dhyasth karena ke adesh	4.2017
14.	Sikhar Sishu Sadan par 88 lakh ka jurmana	11.3.2016
15.	Siksha ki Mandir main baimani ki cement	3.9.2016
16.	Dhampur main avyedh nirman ke virodh me sopa gyapan	2.9.2016
17.	Rok ke bawajudh nirman karya jari	31.8.2016
18.	88 lakh ki jurmana se beparwa school prabadhan	not mentioned
19.	School bhawan ka nirman karya jari	not mentioned
20.	Sarkari cement se hi khari ki imarat	not mentioned

Above mentioned news items allegedly reports that the School organisation/authorities are highly corrupt and misleading people and student school fees were not utilised properly by school administration. The school building is being raised despite of Courts's notice and land transfer deed has been made out for personal benefit of the manager. According to the complainant, the false and misleading reportings were published with malafide intentions to defame the school and its authorities and as th report was published just before posting of the new D.M. and A.D.M in Dhampur, the complainant suspects that it has been done intentionally to depict a bad image of the organisation and school before the newly posted Govt. authorities which may create impediment before obtaining Governmental permission for school construction. According to the complainant, the respondent is still demanding two lakhs, if not paid it will continue publishing defamatory news item against the school and won't stop until the school turns into ruins.

Further, the complainant informed that vide letter dated 19.5.2017, the respondent newspaper was asked to publish a clarification and investigate against publication of wrong

and defamatory news items. However no response has been received yet and also publication aiming to defame the school is still continued.

Show Cause Notice dated 15.6.2018 was issued to the respondent newspaper, Shah Times.

### **Written Statement**

The respondent-Shri Mohd. Nasir, General Manager, Shah Times, Muzaffarnagar vide his written statement dated 26.6.2018 while denying the allegation has alleged that all the allegation of the complainant is levelled against him is totally false. The respondent has stated that the impugned news items were published after complaints filed by the NGOs, information received under RTI and the action taken by the administration. He has furnished documents in support of his statement.

A copy of Written Statement dated 26.6.2018 has been forwarded to the complainant vide Council's letter dated 14.8.2018 for information.

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

The matter came up for hearing before the Inquiry Committee on 29.8.2018 at Lucknow.

Despite Service of Notice, the complainant has not chosen to appear. The respondent is represented by its Bureau Chief. In the absence of the complainant, the Inquiry Committee is not inclined to examine the merit of the case.

The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

### **Held**

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