

Press Council of India

Sl. No. 1

File No. 14/440-447/15-16-PCI

Suo-motu cognizance for publishing distorted version of Shri V.K. Singh's statement by i) Dainik Bhaskar, ii) Rashtriya Sahara, iii) Navbharat Times, iv) Jansatta, v) The Mail Today, vi) The Pioneer, vii) The Times of India and viii) The Tribune.

Adjudication **Dated 17.11.2016**

The Press Council of India came across various news reports through which it appeared that General V.K. Singh, Minister of State, External Affairs is reported to have compared the Faridabad incident of killing of Dalits with the stoning of dog. Gen. Singh while denying such comparison has alleged to have stated that his version has been distorted by the newspapers and allegedly suggested to send the journalists to mental asylum at Agra for treatment.

The Council was of the opinion that these reported statements and claims are not conducive for the freedom of press. Further, it also questions the credibility of the Press. Accordingly in exercise of the powers under Section 14 & 15 of the Press Council of India Act and all other enabling provisions, the Council took suo-motu cognizance of the matter. A Show Cause notice dated 3.12.2015 was issued to (i) General V.K. Singh, Minister of State for External Affairs and (ii) all newspapers in which the alleged distorted news item appeared, to show cause as to how the questioned news item is distorted/not distorted and the reason and justification thereof and the purported threat to freedom of the press.

Response of the Pioneer

In response to the Show Cause Notice dated 3.12.2015 the editor, of the Pioneer vide its reply dated 4.1.2016 submitted that the news report was not concocted or manufactured and published the overall developments in the political sphere following Mr. V.K. Singh's 'dog' remark. He also stated that the information was disseminated after identifying the source clearly and the quote of Shri V.K. Singh was quoted verbatim and not out of context.

The respondent also stated that the news report was published in good faith in public interest and the prominence was given equally to all the issues so that people can make their independent opinion in the matter. A comprehensive observation on Mr. Singh's version was given by the Pioneer in its editorial and the same was published in 9.2.2015 with the title 'Analogy that never was' wherein the said incident was quoted.

He further stated that in a democratic society, those who hold office in government and are responsible for public administration must always be open to criticism. The press is custodian of public interest and is expected to being correct information to the general public.

Response of the Times of India

While denying the allegation of publishing the distorted version by the Times of India the counsel for the respondent, paper has stated that no professional misconduct has taken place in the said report. The suo-motu cognizance taken by the Press Council

of India by issuance of Show Cause Notice is uncalled for. He also stated that the statement of Mr. Singh was verbatim quoted in the news report as it is and was not distorted. He has further stated that the reports and its subsequent statement cum apology were published impartially by the newspaper and all the news items are factually correct.

Response of General V.K. Singh dated 12.1.2016

General V.K. Singh, Minister of State, External Affairs in reply stated that the Press Council engages itself and pertains only to the print media, that is newspapers and magazines etc and not the electronic media. While quoting the name of one Shri Sanjeev Sharma, a reporter of India News Channel, General V.K. Singh has stated that the said person in conspiracy with other reporters pursued him with an intention to give a mischievous form to his statement and telecast the same with the motive to defame him and also spreading communal disharmony and public unrest. He has also stated that the reporter who took his version was from India News but the first telecast was done by 'ABP News' and as per his information this was done for a fair amount of monetary consideration.

He also stated that the reporters deliberately asked him questions regarding the tragic incident of the Faridabad and deliberately doctored his answers and telecast the same in such a manner as if he has equated the Dalits with Dogs. He has annexed full unedited recording of his statement in support of his version. He further informed that on the very next day when the story was telecast and as a repercussion reporters asked him questions as to why he equated the Dalits with Dogs, he as any normal person being accused of something that has not been done by him, retorted that this kind of journalism is unacceptable and such journalists should visit Agra. He also pointed out that his statement in no manner could be taken as to comparing the Faridabad incident.

General V.K. Singh pointed out that the Council has unfortunately miserably failed in its duty for a long time and the record of the Council in redressing grievances of media overreach and paid journalism is extremely dismal. Shri Singh has also stated that Hon'ble Former Judge of the Apex Court of India is expected to take judicious view of the matter in particular and the state of affairs of the press in general and scrutinize the entire episode and take action against those journalists responsible for deliberate distortions of statements and for running a mercenary campaign against him. He has intimated that in the same incident he have represented to State as well as other authorities including the National Commission for Scheduled Castes and judicial scrutiny by a Metropolitan Magistrate has also been done, copy of the same is also attached by him. He has finally requested the Council to take strict action against such persons responsible for unlawful and condemnable acts detailed by him.

Copy of the judicial scrutiny report dated 7.12.2015 attached by Shri Singh states that the statement of Mr. Singh should have been taken in broader way, as Mr. Singh's version that intervention of the Central Government in every incident is not feasible keeping other State Government's working in view. The statement of Shri Singh can be read to have been made with the realization and feeling in mind that Central Government was being blamed for an act which in the opinion of Shri V.K. Singh had nothing or much to do with Central Government.

Such statement cannot be read as to have been made with an intention and targeted at spreading hatred and disharmony among people of different community in the Country. The Court while considering the matter passed its observations as below:

“In the light of above said discussion, the Court is of considered view that no criminal offence is even on the face of it attracted in the present matter and facts stated in the complaint under section 200 of Code of Criminal Procedure do not constitute any offence under any law. Hence, the complaint under section 200 of Code of Criminal Procedure is rejection”.

Report of the Inquiry Committee

Following two adjournments dated 16.3.2016 and 11.7.2016, the matter came up for hearing before the Inquiry Committee on 6.9.2016 at New Delhi. Shri Vishwajeet Singh, Advocate appeared for Gen. V.K. Singh. Ms. Deveshi Mishra, Advocate appeared for respondent no. 6 i.e. the Pioneer, Ms. Nisha Bhambhani, Counsel along with Dr. Puneet Jain, Group Chief Law & Compliance Officer appeared for the respondent no. 5 i.e. Mail Today and Shri Kunal Anand appeared for respondent no. 4 i.e. Jansatta. There was no appearance on behalf of other respondents. However, an adjournment request has been filed on behalf of respondent no. 2 i.e. Rashtriya Sahara. The Inquiry Committee does not accede to his request.

The Press Council of India came across various news reports, through which it appeared that General V.K. Singh, Minister of State for External Affairs, is reported to have compared the Faridabad incident of dalit killing with the stoning of dog. Gen. Singh while denying such comparison has stated that his version has been distorted by the newspapers and suggests to send such journalists to mental asylum for treatment.

The Council was of the opinion that these reported statements and claims are not conducive for the freedom of Press. Further, it also questions the credibility of the Press. Accordingly, in exercise of the powers under Section 14 & 15 of the Press Council of India Act and all other enabling provisions, the Council took suo-moto cognizance of the matter. A Show-Cause Notice dated 3.12.2015 was issued to Gen. Singh and all newspapers in which the alleged distorted news item appeared, to Show Cause as to how the questioned news item is not distorted and the reason and justification thereof and the purported threat to freedom of the press.

The Tribune, in its issue dated 23.10.2015 under the heading “**Message from Nagpur Mohan Bhagwat Plays down communal attacks**” follows “*the latest to display characteristic insensitivity is Union Minister V.K. Singh, Who, reacting to the burning to death of two Dalit children in Haryana, said “if someone throws stones at a dog, the Government is not responsible”.*

The Times of India, in its issue dated 23.10.2015, under the following heading “**VK Singh sparks row with ‘dog’ remark on Dalit deaths, apologies**”, Under the said heading the statement made by General Singh has also been quoted which reads as follows- “*I will be very clear on this that in case, because of this mixing up of two things, which someone else has done, if somebody’s feelings have been hurt, I am apologising for it. Because some people have created a totally different picture altogether, which was never there. I had no intention of hurting anybody. Because of this imaginary linking of somebody if somebody’s feelings have been hurt, I apologize whole-heartedly*”.

The Pioneer, came out with heading “**Dog analogy for Dalit killings sparks row, Singh clarifies**”, in its issue dated 23.10.2015. According to the newspaper in the context of the burning of a Dalit family in Faridabad, Haryana, in which two children were killed, a controversy erupted over General V.K. Singh’s ‘dog remark’.

Mail today in its issue dated 23.10.2015, came out with the headline “**Minister under fire over ‘dog’ comment on Dalit killings**”. In the news the clarification given by the Minister and what has been spoken by him have also been quoted.

Jansatta, in the impugned news item alleged General V K Singh to have stated that if someone throw stone on a dog, the government cannot be held responsible, while referring to the incident of Faridabad where two children were burnt to death.

The Navbharat Times, stated that Gen. V.K. Singh, while defending the action of the government in regard to the killing of the Dalit children in Faridabad had allegedly stated that *if someone throws stones at a dog, the Government is not responsible*”,.

From the texture, tenor and manner of representation of the aforesaid news items, it appears that the Newspapers tend to project that Gen. V.K. Singh compared the killing of the Dalit children as that of “dogs’ The Inquiry Committee is to consider as to whether Gen. Singh had made any such statement so as to convey that he compared the Dalit killings with those of “dogs”. Admittedly, the news item had its root in the interview of Gen V.K. Singh and in order to come to a just conclusion the Inquiry Committee deems it expedient to reproduce the same.

“रिपोर्टर हरियाणा में जो हैं दलित परिवार को जो जला कर मार दिया गया, क्या सरकार वहाँ पर फेल हो गई है
श्री वी.के. सिंह कभी स्थानीय घटनाओं का सरकार से तालुक मत रखिये। उसके उपर इंकवारि चल रही है, परिवारों के बीच मतभेद था वो मदभेद किस रूप में परिवर्तित हुआ कहाँ पर इंतजामिया का फेल्यर, एडमिन का । उसके बाद फिर सरकार के उपर आता है हर चीज के उपर कि वहाँ पे उसने पत्थर मारा कुत्ते पर तो सरकार जिम्मेवार है, ऐसा नहीं है “।

The Inquiry Committee, has given its most anxious consideration to the issue involved, and is of the opinion that Gen. Singh did not compare the killing of the ‘Dalit’ with ‘dogs’. It was in context of the responsibility of the Government he stated that for every incident i.e. stoning of dog, the Government cannot be held responsible. The example given for defending the government has been projected by the newspapers as an analogy for Dalit killing. The Inquiry Committee is conscious of the fact that the Newspapers are required to give the context in which the statement is made by a political leader, but, this does not mean that they are free to give their own meaning. The newspapers should bear in mind that their duty is to collect the news and place it in perspective but not create the news. The Inquiry Committee is of the opinion that meaning sought to be conveyed and attributed to General Singh that he compared the killing of the Dalit children with dog, is absolutely wrong, mischievous and infact an attempt to create and sensationalize news.

Gen. V.K. Singh has been put to great ridicule for alleged dog remark, which in the opinion of the Inquiry Committee, he never made. The Newspapers attributed the same to Gen. Singh. The newspapers, therefore, have violated the norms of journalistic ethics and this call for severe action. However, in view of the fact that the version of Gen. Singh was also been published, the Inquiry Committee recommends for dropping of the proceeding with warning the newspapers and also with the observation that the newspapers while dealing with such matters to be more careful, in future.

The Inquiry Committee is to further consider the statement allegedly given by General Singh that the ‘journalists be sent to Agra’. It is pointed out that this statement of General. Singh ridicules the journalists’ community as a whole and therefore gravely affects the freedom of the press. General Singh has explained the same and according to him such of the journalists who had given distorted version to his alleged “dog remark”, needs to be treated. The Inquiry Committee is of the opinion that the aforesaid remark of

Gen. Singh was not meant for the journalists community as a whole, but, to those who indulge in concocting and making stories. The Inquiry Committee has taken into consideration also the background in which General Singh had made the comment. He was ridiculed and criticized for the statement which he never made but attributed to him by the newspapers. The Inquiry Committee when views the statement of General Singh, in the aforesaid background, deems that no action needs to be taken against him.

Before the Inquiry Committee parts with the case it would like to observe that comments made by Gen. Singh in his Show-Cause that 'the record of Counsel in redressing grievances of media overreach and paid journalism is extremely dismal' are misplaced and the present proceeding is not an appropriate place to ventilate this. Many other statements in the Show-Cause appears like sermon to the Council and the Chairman, which to put the record complete have been quoted in this report but are irrelevant and uncalled for.

The Inquiry Committee recommends for the dropping of the proceeding in the aforesaid terms.

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 decided to **Drop** the proceeding and close the matter.

PRESS COUNCIL OF INDIA

Sl. No. 2-3

File No.14/1194-1200/13-14
& 14/1140-1146/13-14

**Complaint of
Aam Aadmi Party**

1st Complaint

Through Shri Syed Ejaz Abbas Naqvi,
Advocate,
Fort, Mumbai.

The Editors,

1. Nav Bharat
2. HamaraMahanagar
3. Inquilab
4. Urdu Times
5. Sahafat
6. Avadhnama
7. Yashobhoomi

2nd Complaint

Through Kusumaaker Kaushik,
Advocate, Mumbai

The Editors,

1. Nav Bharat
2. HamaraMahanagar
3. Gujarat Samachar
4. Inquilab
5. Sahafat
6. Urdu Times
7. Avadhnama

Adjudication
Dated 17.11.2016

Two separate complaints were filed by the Aam Adami Party against various newspapers for publication of paid news.

1st Complaint (File No. 14/1194-1200/13-14)

This complaint dated 4.3.2014 has been filed by Shri Syed Ejaz Abbas Naqvi, Advocate, Mumbai on behalf of Aam Aadmi Party against the Editor, Navbharat, Hamara Mahanagar, Inquilab, Urdu Times, Sahafat, Avadhnama and Yashobhoomi for allegedly publication of paid news items. The complainant has submitted that respondents have published a report under the caption "***Mumbai Mein Congress Neta Gurudas Kamat Ne Kiya Paid News Ka Shubhaarambh***" (Inauguration of Paid news by Shri GurudasKamat, Congress Leader in Mumbai)

The complainant referred to the Lok Sabha elections in May 2014 in that Mr. Mayank Gandhi was candidate for the Mumbai North West Constituency against the candidate of Congress Party, Mr. GurudasKamat. The respondent No. 2 to 7 have carried news that "GurudasKamatki rang laimehnat, GaribonKahuaaashiyana" and "Rahul Ki team kajujharoosansad – Kamatkahaathjantakesaath" are misleading as regards the personality and performance of the candidates in fray and such reporting is "politically motivated reporting" or "political paid news". The complainant further stated that such conduct of such newspapers is violative of various laws, norms and destroys the essence of the democracy.

A Show Cause Notice was issued to the respondent newspaper on 11.4.2014.

Written Statements

1. The Executive Editor, Hamara Mahanagar, in his written statement dated 1.4.2014 has stated that the complaint is not maintainable under law. He has submitted that the publication of alleged article in their newspaper on 1.3.2014 whereas the publication of alleged information as to paid news in Bhasdas Media on 3.3.2014 and complaint to PCI on 4.3.2014. The respondent also denied each and every allegation of the complainant.
2. In his written statement, Editor, Yashobhoomi denied all the allegations of the complainant. He stated that his newspaper is not related to any political party. The respondent also stated that when the said news was published, neither the election was declared nor the contestant's name was declared. The respondent further stated he has not received any money for publication of the said news.
3. The respondent Inquilab, Urdu Daily, Maharashtra in his written statement dated 11.4.2014 denied the statement that they published misleading and paid news. The respondent further stated that it is the social and moral obligation of a reporter and its master or representative to bring to the attention of all persons that they deem the necessary development happening of in and around the city. He has submitted that they published news stories of other contesting party candidates too. Thus, they have not canvassed for any particular candidate or party.

No Written Statement from Other Respondents

The other respondents Nav Bharat, Urdu Times, Sahafat and Avadhnama have not filed their written statements so far.

2nd Complaint (File No. 14/1140-1146/13-14)

Another complaint dated 4.3.2014 was filed by Shri Jayendra Navlani, for Kusumakar Kaushik, Advocates for Aam Adami Party on the same subject matter as in 1st Complaint i.e. for publication of paid news against the same editors i.e. 1) Navbharat 2) Hamara Mahanagar, 3) Gujarat Samachar, 4) Inquilab, 5) Sahafat, 6) Urdu Times, and 7) Avadhnama, Mumbai.

A Show Cause Notice was issued to the respondent editors on 11.3.2014 to all the respondent editors.

Written Statements

1. The Executive Editor, Urdu Times in his written statement dated 24.3.2016 has stated that the contents of the said complaint are totally false and frivolous and the same is nothing short of a harassment of the press by a political class. He further stated that the unnumbered paragraph No. 2 of the said complaint clearly brings out the fact that the present complaint has been filed only with a view to settle the political score making the press a scapegoat. He has submitted that the newspaper 'Urdu Times' has no direct or personal concern with the political battle between Mr. Mayank Gandhi and Mr. Gurudas Kamat. He further submitted that the newspaper always upheld the principles of impartial, honest and fearless journalism. He has stated that the present complaint is a glaring example of the kind threat, coercion and harassment the press in our country is susceptible to. At

the outset, he completely and vehemently denies and rebuts the allegation of the said complaint. The frivolous nature of the complaint is established by the very fact that when the said news item was published on 2nd March, 2014, neither the notification for the forthcoming parliamentary election was issued by the Election Commission nor the candidature of Mr. GurudasKamat was declared by his party. The complaint is dated 4th March, 2014, even on the said date the candidature of Mr. Kamat was not declared despite that the entire complaint proceeds on the basis that the paid news item was published on 2nd March 2014 by the Urdu Times with a view to help Mr. Kamat. Therefore, there is no doubt about the fact that the present complaint is highly frivolous. He prayed the Council to proceed against the complainant political party for filing such fraudulent, frivolous complaint is as much as is required to be protected against such vilification.

2. The Executive Editor, Hamara Mahanagar in his written statement dated 1.4.2014 stated that the complaint is not maintainable under law and the Show Cause Notice issued without complying the mandatory procedure laid down under the provisions of the Regulation under which the said complaint is made. He has submitted that the publication of alleged article in their newspaper on 1.3.2014. He further submitted that the complainant in both the complainant has not fulfilled the prerequisite conditions and therefore liable to be rejected. He denied each and every allegation and/or the contention that the alleged article, news, etc published in his newspaper was paid news. He alleged that the allegations made in the complaint are hearsay and the complainant has not given any authentic proof to support allegation of paid news. He has requested the Council to withdraw the Show Cause Notice.
3. The Editor, Gujarat Samachar in his written statement dated 25.3.2016 has stated that the contents of the said complaint are false, frivolous and nothing short of a harassment of the press by a political class. He further stated that the unnumbered paragraph No. 2 of the said complaint clearly brings out the fact that the present complaint has been filed only with a view to settle the political score making the press a scapegoat. He has submitted that the newspaper 'Urdu Times' has no direct or personal concern with the political battle between Mr. Mayank Gandhi and Mr. Gurudas Kamat. He has stated that the present complaint is a glaring example of the kind threat, coercion and harassment the press in our country is susceptible to. He deny that the said news item violated any law, norms or destroyed the essence of democracy any way. He has submitted that the present complaint is nothing but an attempt on the part of particular political party to run and propagate its political agenda against the political opponent in this Hon'ble Council.

No Written Statement from Other Respondents

The other respondents Nav Bharat, Inquilab, Sahafat and Avadhnama have not filed their written statements despite reminder 18.5.2016.

Report of the Inquiry Committee

Following an adjournment dated 10.5.2016, the matter came up for hearing before the Inquiry Committee on 6.9.2016 at New Delhi. There was no appearance on behalf of the complainant. Shri Sanjit Das appeared for the respondent newspaper, Avadhnama and Advocate Divya Sharma appeared for the respondent newspaper, Inquilab while there was no appearance on behalf of other respondents.

The Inquiry Committee notes that despite service of notice, the complainant has not chosen to appear. The Inquiry Committee, therefore, recommends for dismissal of complaint for want of prosecution.

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 decided to **Dismiss** the complaint.

PRESS COUNCIL OF INDIA

Sl. No. 4

File No.14/884/14-15-PCI

Suo-motu action on reference received from Election Commission of India against the Editor, Janta Union for publication of an alleged "Paid News" during General Elections 2014 in the garb of news

Adjudication
17.11.2016

Case Summary

Shri S.K. Das, Under Secretary, Election Commission of India, New Delhi vide letter dated 20.1.2015 forwarded a suspected case of "Paid News" against the newspaper "Janta Union" for publishing a news item captioned "***BSP Pratyashi ne party ki uplabdhiyon ko ginakar mange vote***" in its issue dated 10.4.2014.

It was reported in the news item that Shri Khabri, Candidate of BSP (Bahujan Samaj Party) appealed to people of all communities to cast their vote for BSP on 30.4.2014. It is further stated in the news item that various campaigning teams of BSP are meeting communities in the area. Rigorous campaigning by BSP has given sleepless nights to its opponents. Shri Khabri is trying to cover all villages in Election Campaign.

A Show Cause Notice was issued to Editor, Janta Union, Jhansi, U.P. on 19.3.2015

Written Statement:

In response to the Council's Show Cause Notice dated 19.3.2015, the respondent ex-editor, Janta Union, Jhansi vide his letter dated 10.4.2015 submitted his written statement. The respondent denied the allegations of paid news. While informing that they have not received any kind of cash for publication of said news item, he also stated that he has transferred the ownership of the newspaper in the name of Smt. Chandni Kushwaha and Shri Nathuram Kushwaha who are now Printer and Publisher of the newspaper. The respondent requested the Council to take a lenient view in the matter.

Report of the Inquiry Committee

Following an adjournment on 8.6.2016, the matter again came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi.

Shri Atul Debey, General Manager represents the respondent. The Inquiry Committee has perused the complaint and connected papers and has also heard the representatives of the respondent newspaper. On perusal of the impugned news item the Inquiry Committee find that two third of the impugned news item contains the names of the voters on caste basis and supporters of the candidate of a particular political party. The tenor and manner of presentation of the news clearly shows that it is paid news.

The Inquiry Committee accordingly uphold the complaint and **Censures** the respondent newspaper. A copy of this order be forwarded to the DAVP, Information and Public Relations Department, UP, District Magistrate, Jhansi for taking appropriate action.

After the Inquiry Committee has taken a view, the respondent has filed an application for rehearing. He was reheard; the Inquiry Committee does not find any ground to take a different view.

Held

The Press Council on consideration of the 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 Janta Union.

Press Council of India

F.NO. 14/629/14-15-PCI

Sl. No. 5

Shri. SharatKohli,
RI, Outer District Line,
Pitampura, New Delhi.

Shri Vijay Kumar Bharti
The Editor
Ashoka Express
Delhi

Smt. Meena
W/o- Shri Ram Niwas
Sultan Puri, Delhi

Smt. Manish Gautam,
Arya Nagar, ChanderVihar
Delhi.

Adjudication
Dated 17.11.2016

The Council received three separate complaints dated 11.02.2016, 15.02.2016 and 12.03.2016, forwarded by the Delhi Commission for Women (DCW) and Ministry of Information and Broadcasting (MIB) filed by Shri. SharatKohli, Delhi and Smt. Meena, W/o- Shri Ram Niwas, Delhi and Shri. Manish Gautam, Delhi, against the editor of Ashoka Express, Shri Vijay Kumar Bharti, for publishing nude photographs of a (dalit) woman in the front page of the paper without blurring the pictures or hiding the identity of the woman who was allegedly tortured and abused by the Haryana Police, Bahdurgarh, Haryana, in its Weekly- Issue dated 1st to 8th February 2016, captioned "SHO Aumbir Sharma Ne Dalit Mahila Santosh KoThanay Me Nanga Kar Pita, Bheja Jail" (SHO Aumbir Sharma tortured and abused a Dalit woman in the Police Station and sent her to jail)

According to the complainants the editor of Ashoka Express has no respect for women and publication of such obscene and insensitive news item depicting nude/obsecene picture of a woman and disclosing her identity is against the journalistic norms and ethics.

A Show-Cause Notice dated 18.05.2016 was issued to the respondent editor of the Weekly- Ashoka Express, Delhi.

Written Statement

The respondent in his written statement dated 4.6.2016 has stated that victim Smt. Santosh, herself has submitted those pictures in her complaint before the Central Government and Haryana State Government informing about the incident of torture and molestation inflicted on her by the Haryana Police namely SHO, Shri Aumbir Sharma and other policemen at Bahadurgarh, Dist. Jhajjar, Haryana. The pictures published in the weekly is sent by the victim herself and shows the marks of the police torture and had been published in the weekly with her consent, with the intention to seek justice from the higher authorities and to inform the public regarding the inhuman behaviour of the police with a woman. According to the respondent editor, as the pictures and news item in question was published after taking due consent of the Victim. Further, the Haryana Govt. and Hon'ble govt. have taken note of this impugned news as well as grievance of

the victim and FIR has been registered and legal action has been initiated against the accused.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 6.9.2016 at New Delhi. Shri Ram Niwas, who claims to be the husband of Smt. Meena (one of the three complainants) appeared on behalf of the complainants while Shri Vibharti Kumar, Editor, Ashoka Express appeared in person.

The Inquiry Committee notes this complaint has been forwarded to the Council by the Delhi Commission for Women and Ministry of Information & Broadcasting filed by Shri Sharat Kohli, Smt. Meena and Shri Manish Gautam. The representative of the complainants, Shri Ram Niwas asserts that he is aggrieved by the publication of nude photographs of a dalit woman in the respondent newspaper.

The Inquiry Committee has perused the complaint, the reply and other connected papers and is of the opinion that the photographs published in the newspaper is obscene and vulgar. The Inquiry Committee is further of the opinion that the photographs ought to have been blurred and the face of the lady ought not to have been shown. The respondent newspaper has breached the journalistic ethics by publishing such obscene (nude) photographs.

In view of the above, the Inquiry Committee recommends for **Censure** of the respondent newspaper.

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 decided to **Censure** the respondent newspaper, Ashoka Express, Delhi. A copy of the adjudication be forwarded to the Director General, DAVP, RNI and Government of NCT of Delhi for appropriate action as they deem fit.

Press Council of India

Sl. No. 6

F.No. 14/613/15-16-PCI

Shri D.K.Chopra,
Vasant Kunj,
New Delhi

The Editor,
Samvada,
New Delhi

Adjudication
Dated 17.11.2016

This complaint dated 8.3.2016 has been filed by Shri D.K.Chopra, New Delhi against the editor, 'Samvada', New Delhi allegedly for publication of malafide, false and incorrect news item under the caption "**Residents Perseverance Pays Off! Cleaning Process in Vacant DDA Land Started**" in its issue of January, 2016.

The impugned news report gave credit for cleaning places of vacant DDA land to Green Citizens Initiative in which women from South Delhi join hands.

The complainant submitted that the task of cleaning the area in Vasant Kunj adjacent to Bhatnagar International School and GD Goenka School as reported in impugned news has not been done by Shalini Saluja or Green India Initiative or by MLA-Shri Naresh Yadav or Mr. Mehta Engineer as claimed in the story rather it was done by persistent efforts of some other male persons, who happened to take action months prior and narrate his efforts much before it is claimed to have been worked upon or done in the article. He alleged that the respondent has published the content malafidely and offended the standards of journalistic ethics and against public taste. The content lacks fairness, correctness and accuracy without any pre-publication verification and is against the paramount national interest. This also amounts to fraud on the public as well as the person whose persistent efforts for several months welfare works have been carried out in Vasant Kunj and most of which were not even known to the MLA. A person deserves to be credited for his efforts but stealing of his credit for cheap publicity must not be tolerated or permitted in any manner. The complainant drew the attention vide letter cum notice dated 3.2.2016 to reporter and 15.2.2016 to editor respectively to state his side but received no response.

A Notice for Comments issued to the respondent Community Samvad magazine on 1.4.2016.

Written Statement

In response, the respondent vide letter dated 12.4.2016 while denying all the allegations as alleged in the complaint submitted that the report was published without any malafide intention. The respondent along with reply sent supportive documents on the basis of which the article was published. The impugned news was published in a fair manner without hurting feelings of anybody. He stated that they are open to publish as a responsible publication if required, the other side of the story if so decided.

Counter comments

The complainant vide letter dated 14.6.2016 while reiterating his allegation submitted that the reply of the respondent did not submit any written document/report on record through its writer lady, M. Shalini Saluja nor Sushila Kakar, Editor of B Vasant. How much money they took directly or indirectly from Shalini Saluja for printing his name as she have not any previous record of printing such articles she is simply a cloth shopkeeper. Shalini Saluja is social workers as she claim earlier how many cleaning or other projects she took successfully is not available on face book. The complainant

submitted that the reply filed in the written statement is not on facts. He stated that no story was filed by claimant mentioned in the print and she is being used. Even the editor was side traced by others. In this way the news is published to mint for fetching money only and did not follow their own norms and system.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Shri D.K. Chopra, the complainant appeared in person while there was no appearance on behalf of the respondent.

The complainant grievance is that the impugned news item credits cleaning of certain area by Green Citizens Initiative. The respondent newspaper has also published the photograph of that. It is the assertion of the complainant that the said news item is false. The respondent newspaper in its written statement has stated that on the basis of the material and the documents made available to them, the impugned news item was published in fair manner. The Inquiry Committee is of the opinion that the grievance of the complainant is absolutely misconceived.

Not only this, the article have been published in a magazine which is meant for internal circulation and it seems that it is not registered with RNI to come within the ambit of the newspaper or the magazine.

In view of the aforesaid, the Inquiry Committee recommends to the Council 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 decided to **Dismiss** the complaint.

Press Council of India

S. No. 7-10

F. No. 14/185/14-15-PCI
14/88/14-15-PCI
14/53/16-17-PCI
14/54/16-17-PCI

Shri A. Devaneyan,
Director, Thozamalai,
Chennai, Tamil Nadu.

The Editor,
Kalai Kathir,
Coimbatore (Tamil Nadu)

The Editor,
Dinamalar,
Salem (Tamil Nadu)

The Editor,
Daily Thanthi,
Salem (Tamil Daily)

Adjudication

Dated: 17.11.2016

Shri A. Devaneyan, Director, Thozhamai, Chennai filed this complaint dated 7.3.2014 (through Ministry of Information & Broadcasting) against leading print media for allegedly violating the Protection for Children from Sexual Offences **Act (POCSO Act)** by revealing the identity of the deceased child. The complainant informed that a girl was missing on 14.2.2016 and later found dead hanging nude in a tree. The complainant alleged that the leading print media published the photograph of the child by violating the law and ethics. According to him, in all respects the identity of the said child has to be protected as the provision of the Juvenile Justice (Care and Protection of Children) Act, 2000 and Protection of Children from Sexual Offence Act, 2012 says that the original identity should not be revealed in any form but the media published the photograph of the child which was totally against the rights of the child and the law. The complainant further stated that this was not only case where the media behaved in such a manner. There were several recurring incidents in the Tamil media both print and electronic on similar issues which needs to be strongly condemned and necessary action has to be taken against those erring media entities.

Show-Cause notices were issued to the respondent Editor, 'Kalai Kathir' on 30.9.2015 and to the respondent editors, Dinamalar and Daily Thanthi on 25.5.2016.

Written Statement of Daily Thanthi

The Editor, Daily Thanthi, Chennai vide his written statement dated 14.7.2016 submitted that they already given instructions to all the sub-editors/reporters etc. not to disclose or reveal the identity of the Children in the news to be published with regard to the news concerning the Acts i.e. The Juvenile Justice (Care and Protection of Children) Act, 2000 etc. vide their Circular dated 23.10.2010 and 13.6.2016. With regard to the impugned news published in Daily Thanthi, Salem edition, the respondent submitted that the Sub-Editor has caused the publication of the photo of the minor girl inadvertently, as the said minor girl was dead. The respondent stated that he already warned the Sub-Editor who caused the publication of the impugned news with the girl's photograph. The respondent further stated that they are taking utmost care and attention in not revealing or disclosing the identity of the minor girl in the similar circumstances and they have already given instructions to all working in the Daily Thanthi newspaper established.

No Written Statement from Other Respondents

The respondent Editors of Kalai-Kathir and Dinamalar have not filed their written statement.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. There was no appearance on behalf of the complainant, Shri V. Sanjeev, Advocate appeared for the respondent, Daily Thanthi while other two newspapers are also represented by their Counsels.

The complainant in this complaint has alleged that the respondent newspapers have published the photographs of a girl child hanging nude from a tree which revealed her identity. It is the contention of the complainant that this is violation of the Juvenile Justice Act and the Protection of Children from Sexual Offences Act (POCSO Act). The respondent newspaper 'Daily Thanthi' in its written statement had admitted the mistake. The said newspaper has further stated that they had revealed the identity of the minor girl inadvertently but shall not do so in future. The learned Counsel representing Daily Thanthi stands by the plea taken in its written statement. Learned Counsels appearing for other two newspapers i.e. Kalai Kathir and Dinamalar, expressed regret for the said publication and assures the Committee that it shall not be repeated in future.

In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter further. However, it would like to observe that the respondents,

while dealing with such matters, should be careful in future. The Inquiry Committee recommends to the Council for disposal of the complaint 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 decided to disposal of the complaint with the aforesaid observations.

PRESS COUNCIL OF INDIA

Sl. No. 11

F.No.14/453/15-16-PCI

Suo-motu cognizance taken by the Press Council of India for 'Outlook' magazine regarding statement attributed to the Home Minister in issue dated 16.11.2015 and subsequent withdrawal thereof

Adjudication
Dated 17.11.2016

The Council took suo-motu cognizance on the basis of a news report in connection with a statement attributed to the Home Minister in issue dated 16.11.2015 in Outlook magazine and subsequent withdrawal thereof. The news reported as follows:

“the deliberation in parliament has been adjourned after CPIM's Mohammed Salim attributed a contentious remark to Home Minister Rajnath Singh- **That Shri Modi was the first Hindu Prime Minister in 800 years.** It's certainly a strange thing to say in a country that has only Hindu and Sikh prime ministers. Singh has denied making the statement and Salim has said he read it in a magazine and if he has not said it, he needs to sue the magazine. Under the circumstances, it is possible to piece together the chain of events that likely led to this impasse. It is further reported that Vishwa Hindu Parishad leader, the late Ashok Singhal, said in November last year that it was after 800 years that Delhi was being ruled by Hindus. In his reckoning, after Prithviraj Chauhan, it was Narendra Modi who was the only true Hindu to rise to power in Delhi after a gap of 800 years. The Outlook magazine attributed this quote to Rajnath Singh. *“The current strife is uncharted territory. It has the imprimatur of the “first Hindu ruler after 800 years” (to quote Union home minister Rajnath Singh on Modi's election victory).*

The Outlook Magazine published contents of the regrets on 30.11.2015 same reads as follows:- “In a Lok Sabha debate on 30.11.2015, Mr. Mohamad Salim, the Hon'ble Member of Parliament of the CPI-M, referred to an Outlook cover story (“The Mirror States”, dated 16.11.2015). In this story, a remark (“first Hindu ruler after 800 year”) made by the late Shri Ashok Singhal of the Vishwa Hindu Parishad was erroneously attributed to Union Home Minister Shri Rajnath Singh. Outlook deeply regrets the lack of diligence in verifying the source of the statement. It was not our intention to denigrate the Home Minister or Parliament. Outlook sincerely regrets the embarrassment caused to Mr. Rajnath Singh and Mr. Mohamad Salim”.

The Council took Suo-motu cognizance and called for a report on facts of the case from 'Outlook', New Delhi on 18.12.2015 to decide further course of action in the matter but received no response.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Shri Pranay Sharma, Senior Editor appeared on behalf of the respondent.

The Outlook in its cover story dated 16.11.2015 attributed the following quote to Shri Rajnath Singh, the Hon'ble Home Minister of Country. Same read as follows:

“the current strife is unchartered territory. It has the imprimatur of the first Hindu ruler after 800 year”.

Mr. Mohammad Salim, the Hon'ble Member of Parliament of the CPI-M in his speech in the Parliament attributed a contentious remark to the Home Minister Rajnath Singh, “that Shri Modi was the first Hindu Prime Minister in 800 years”. This led to disruption and Parliament was adjourned. Hon'ble Home Minister denied to have made any such statement. The outlook came out with regret in the following words:-

“In Lok Sabha debate on November 30th, 2015, Mr. Mohammad Salim, the Hon'ble Member of Parliament of the CPI-M, referred to an Outlook cover story (The Mirror States dated November 16th, 2015).

In this story, a remark (first Hindu ruler after 800 years) made by the Late Ashok Singhal of the Vishwa Hindu Parishad was erroneously attributed to Union Minister Rajnath Singh. Outlook deeply regrets the lack of diligence in verifying the source of the statement.

It was not our intention to denigrate the Home Minister or Parliament. Outlook sincerely regrets the embarrassment caused to Mr. Rajnath Singh and Mr. Mohammad Salim”.

In the opinion of the Inquiry Committee, an error simpliciter and its correction later on may not result into grave consequences and can be ignored but an error attributing historically incorrect remarks of grave nature to the Home Minister does not fall in this category. As would be evident from the case in hand, the alleged remarks of the Home Minister were referred in the Parliament. It created such a storm that the Parliamentary proceedings were disrupted and the House was to be adjourned. In this way, time and money which could have been spent for welfare of the people had gone down the drain. Beside the person, who admittedly had not made any such statement, his reputation was put at grave risk and ridicule.

In the opinion of the Inquiry Committee, Outlook failed in verifying the source of the statement, which exhibits utter lack of diligence in its part. The Inquiry Committee is, therefore, of the opinion that the act of the magazine ordinarily would have called for a severe action but keeping in mind the regrets expressed by it, a lenient view is taken.

The Inquiry Committee recommends that the Outlook be **Warned** for the statement attributed to Mr. Rajnath Singh.

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 decided to **Warn** the Outlook Magazine.

PRESS COUNCIL OF INDIA

Sl. No. 12

File No.14/842/14-15-PCI

Shri Neeraj Saxena,
Advocate,
Ghaziabad, U.P.
&
Shri Sanjeev Gupta (Engineer)
Ghaziabad, U.P.

The Editor,
Hindustan Times,
New Delhi.

Adjudication
Dated 17.11.2016

This complaint dated 13.11.2014 has been filed by Shri Neeraj Saxena, Advocate and Shri Sanjeev Gupta, Engineer, Ghaziabad, U.P. against the editor, The Hindustan Times alleging an unscrupulous reporting in newspaper's Delhi's edition dated 11.11.2014. The complainant stated that the respondent newspaper published news of murder twice on same date i.e. on 11.11.2014 with different heading thereby creating furore due to feeling of insecurity among citizens of Ghaziabad. The two different headings "Headless body of a man found in Ghaziabad" and "Man's body found in Raj Nagar Extension area" were infact recalled to such incident of murder.

In the first news item it is published that a headless body of an unidentified man was found near Shiwall Farmhouse . Sihani Gate Police station in-charge, Shri Ashok Sisodia said that the man was probably killed somewhere else and the body was later dumped on the site.

In the second news item it is published that a 28 year old man was found dead with slit marks on his throat in the Raj Nagar Extension area. The deceased, Shri Kuldeep was a resident of Bhajanpura in East Delhi.

The complainant stated that the impugned publication spread insecurity amongst gullible readers who can conceive a thought that law and order enforcement machinery has failed in their effort to curb heinous crime in Ghaziabad and the city is not safe for residential or commercial purpose.

The complainant vide letter 11.11.2014 requested the editor to publish corrigendum of the serial news items, but received no response.

No Written Statement

A Show Cause Notice dated 16.5.2016 was issued to the respondent newspaper, Hindustan Times, New Delhi but no written statement was filed.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Shri Neeraj Saxena, the complainant appeared in person along with Shri Sanjeev Gupta. Shri Arun Pathak, Advocate appeared for the respondent.

The complainant claims to be the citizen of India residing at Ghaziabad and his allegation is that the news of murder of the same person was published twice in the respondent newspaper in the same issue. It is the assertion of the complainant that it has

created feeling of insecurity amongst citizens of Ghaziabad and hence the respondent newspaper be censured for that.

A Show Cause Notice was issued to the respondent by registered post as back on 16.5.2016 but the respondent newspaper has not filed any reply. Today, Mr. Arun Pathak appeared on behalf of the respondent and states that the Show Cause Notice dated 16.5.2016 was not received by the newspaper. When questioned, he was unable to explain. The Show Cause Notice was sent by registered post and it has not been returned to the Council and therefore it shall be presumed that it has been delivered to the respondent. Mr. Arun Pathak has made this statement in a very casual manner to get adjournment of case.

The Inquiry Committee has perused the complaint and connected papers and is of the opinion that the mistake pointed out by the complainant seems to be an inadvertent error on the part of the respondent newspaper. The Inquiry Committee is of the opinion that no action needs to be taken against the respondent for the said error.

The Inquiry committee, accordingly, recommends for dismissal of the complaint with the observations that the newspaper shall be more 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 decided to **Dismiss** the complaint with aforesaid observation.

PRESS COUNCIL OF INDIA

Sl. No. 13
Shri Rajender Jain,
Authorized Representative,
M/s Adhini Pictures Pvt. Ltd.,

File No.14/199/15-16-PCI
The Editor,
Dainik Bhaskar,
New Delhi

Adjudication **Dated 17.11.2016**

This complaint dated 16.7.2015 has been filed by Shri Rajender Jain, Advocate, Delhi against the Editor, Dainik Bhaskar, Jaipur for publication of a news item without verifying the facts in its issue dated 4.7.2015 and 16.7.2015 under the caption "राजस्थान हाउसिंग बोर्ड ने बीस साल पुराने प्लॉट पर लिया कब्जा" and "24 साल पहले सिनेमा हाल के लिए दी ज़मीन का आबंटन रद्द".

In the first news item, it is published that Rajasthan Housing Board has taken over the physical possession of the commercial plot allotted 20 years ago to the Adhini Picture due to non-payment of the amounts.

In the second news item, it is published that there will be no cinema hall in the Gol Market Sector 2 & 3, as Rajasthan Housing Board has taken physical possession of the plot. A commercial complex will now come up there. The plot has been taken back from the allottee Adhini Pictures which has been unable to deposit amount as per terms and condition of auction.

The complainant has denied that in such plots that possession has been taken over by the Board, as reported in the news. The complainant pointed out many factual errors is reported in the news item taken area on plot, allotment 24 years earlier, issue of non-payment, etc. The complainant alleged that paper has violated norms.

The complainant vide legal notice dated 4.7.2015 and 16.7.2015 drew the attention of the respondent towards the impugned publication but received no response.

No Written Statement

A Show Cause Notice dated 18.5.2016 was issued to the respondent newspaper, Dainik Bhaskar, New Delhi but no written statement was filed.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Shri T.P.S. Kang, Advocate appeared for the complainant while there was no appearance on behalf of the respondent.

The complainant is aggrieved by the publication of news items in the respondent newspaper in its issues dated 4.7.2015 and 16.7.2015 in which it has been stated that 'Rajasthan Housing Board' has taken possession of the plot allotted to the complainant. It is the assertion of the complainant that possession has not been taken by the Rajasthan Housing Board and the news items in this regard are, therefore, false. It is not in dispute

that the allotment made in favour of the complainant has been withdrawn. The impugned news item, when read in that context, the Inquiry Committee is of the opinion that the respondent newspaper has not committed any breach of journalistic ethics so as to call for action by the Council. The Inquiry Committee makes it clear that it is not recording any finding as to whether, in fact, the possession of land was taken or not and it shall be the Court of Competent Jurisdiction to decide the same.

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

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 decided to **Dismiss** the complaint in the aforesaid terms.

Press Council of India

Sl.No. 14-15

F.NO. 14/146,156&157/15-16-PCI

- | | |
|---|---|
| 1. Shri Ved Prakash
S/o- Lt. Sh. MangalSwarup
R/O-4298-99, GaliBarna,
Pahari Dhiraj, Sadar Bazar,
Delhi-110006. | The Editor
Public Ki Shatabdi
2733, Sadar Thana Road, GaliMundhewali,
Delhi-110006
&
Vs. 10329,First Floor, Gali Drum Wali, Motia Khan,
Paharganj,
New Delhi-110006 |
| 2. Shri Sunny Kumar,
S/o- Shri Ved Prakash
R/O-4298-99, GaliBarna,
Dhiraj, Sadar Bazar,
Delhi-110006. | |
| 3. Shri Vicky Kumar,
S/o- Shri Ved Prakash
R/O-4298-99, GaliBarna,
Pahari Dhiraj, Sadar Bazar,
Delhi-110006. | |

ADJUDICATION
Dated: 17.11.2016

Three complaint dated 15.06.2015 have been filed by Shri Ved Prakash, Sadar Bazar, Delhi, Shri Sunny Kumar, S/o- Shri Ved Prakash, Sadar Bazar, Delhi and Shri Vicky Kumar, S/o- Shri Ved Prakash, Sadar Bazar, Delhi against Shri Raj Kumar, Owner/Publisher/Editor of Fortnightly newspaper "Public Ki Shatabdi" for allegedly publishing unverified, baseless and defamatory news item against the complainants in its issue dated May 21 to June 5, 2015, on page no. 1 and 4, captioned "***Bade Adhikariyon ke Sanrakshan mein phir lakhon mein bike JE BR Meena***" carrying alongside photograph of complainant no.1. In the news item it was reported that the complainant is criminal, land-Mafia and has links with hardcore criminals and government officials of various departments. Several other defamatory allegations are also levelled against complainant no 1, 2 and 3 and had mentioned that complainant no.2 and 3 are gangster and running property business.

According to the complainant the impugned news item has been published without any pre-publication verification which is violation of journalistic ethics and misuse of right of freedom of press. The complainants further submitted that they requested the editor of the respondent newspaper to tender a written apology in the newspaper and to publish retraction. However to that request, the respondent editor/publisher had humiliated the complainants in front of other people by accusing them to be corrupt persons who illegally acquire land from their real owners. The impugned news item has badly affected the complainants and they have to go through mental and physical trauma.

The complainants further submitted that they have also issued legal Notices dated 06.05.2015 and 26.05.2015 and 26.05.2015 to the respondent but have not received any response from them.

No Reply from the respondent

In response to the Show Cause Notice dated 24.08.2015 issued to the editor of the respondent newspapers, the editor of the respondent newspaper vide his letter dated 14.09.2015 pleaded for some time from the Council so as to collect and submit all the evidences and documents in order to substantiate the contents of impugned news and also informed that defamation suit has also been filed against him by the complainant no.1 in the Court and case is pending before the Court of law.

While forwarding a copy of the reply of the respondent to the complainant on 15.10.2015, the complainant was asked to inform if the allegations made in present complaint is subject matter of any case pending before any court of law.

In response thereto, the complainants informed that the complainant no. 1 i.e Shri Ved Prakash has filed a case of recovery of damages against Shri Raj Kumar (respondent editor) but other complainants have not filed any case in the Court. Thus, they requested to consider the complaint of S/Shri Sunny Kumar and Vicky Kumar separately.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. The complainant, Shri Sunny Kumar along with his counsel, Shiv Kr.Gautam and the respondent, Shri Ray Kumar, Editor were present before the Committee.

This complaint has been filed by three complainants, alleging publication of a baseless and defamatory news item by the respondent newspaper in its issue dated May 21-June 5, 2015. It is not in dispute that during the pendency of the inquiry, one of the complainants has filed a suit for damages in respect of the same news item. As the matter is sub juice before a competent court of law, the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, recommends to the Council 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. 16

F.No.14/22/16-17-PCI

Shri Jalaj Shrivastava,
Additional Secretary,
Government of India,
Ministry of Agriculture and
Farmers Welfare Department of Agriculture,
Cooperation and Farmers Welfare,
New Delhi.

Vs.

The Editor,
Times of India,
New Delhi.

Adjudication

Dated: 17.11.2016

This complaint dated 22.4.2016 has been filed by Shri Jalaj Shrivastava, Additional Secretary, Government of India, Ministry of Agriculture and Farmers Welfare Department of Agriculture, Cooperation and Farmers Welfare, New Delhi against the editor, The Times of India, New Delhi for publication of a news item and photograph of the visiting dignitaries under the caption "KATE'S MARILYN MOMENT AT INDIA GATE" in its issue dated 12.4.2016. The complainant objected to the photograph published in the respondent newspaper. According to the complainant a visiting dignitary to our country is paying silent homage to those slain in war and the respondent newspaper chooses to omit the poignancy and the gravity of the gesture. The complainant further stated that the wardrobe malfunctioning is the only news item highlighted by the respondent newspaper and he strongly believe that the dignity of every woman (and a guest) should be protected. The complainant also stated that the country is passing through a difficult phase where safety and dignity of women has to be in non-negotiable terms. He drew the attention of the respondent paper vide his letter dated 22.4.2016, towards the impugned photographs and expressed his anguish and disdain towards unethical journalism but received no response. He requested the Council to take necessary action in the matter.

No written statement

A Show Cause Notice was issued to the respondent editor, The Times of India, New Delhi on 16.5.2016.

Recommendation of the Inquiry Committee

The matter came up before the Inquiry Committee on 7.9.2016 at New Delhi. While the complaint, Shri Jalaj Shrivastava appeared in person, there was no appearance on behalf of the respondent newspaper, The Times of India.

The complainant is an Additional Secretary of the Govt. of India and is aggrieved by publication of a photograph in the respondent newspaper while Prince William and his wife had gone to lay wreath at Amar Jawan Jyoti at India Gate. According to Mr. Shrivastava, the said photograph ought not to have been published when the dignitaries had gone to lay wreath at Amar Jawan Jyoti. The Inquiry Committee has seen the photograph and find nothing objectionable in it, so as to hold the respondent newspaper guilty of professional misconduct. At the same time, Inquiry Committee would like to observe that it does not find lack of bonafide on part of the complainant in bringing this

fact to the notice of the Council. The Inquiry Committee, accordingly, recommends to the Council for dismissed 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. 17

F.NO. 14/24/16-17-PCI

Shri SiddharthSanwaria,
H.NO. 1251, Sector-21-B,
UT Chandigarh-160022

The Editor,
The Indian Express
Express Building,
C-5, Institutional Area,
Sector-6, Panchkula,
Haryana.

ADJUDICATION
Dated: 17.11.2016

This complaint dated 11.04.2016 has been filed by Shri Siddharth Sanwaria against the Editor/ reporters/columnists/contributors of the Indian Express for publishing the following news items mainly related to the JNU incident and criticising the government, mentioned below:-

Sl. No.	date	caption	Grievance of the complainant
1	15.02.2016	“Fire Stops Make-In-India show” & “Make in India stage up in flames on Mumbai beach”	The impugned news item was published to damage the image of India and was not published in good faith as circulation of such news across the globe can create an adverse influence on the potential investors who would have liked to invest in India
2	23.02.2016	“Umar Khalid, my son”	The media report says that Umar Khalid is accused of sedition but the Indian Express being such a reputed newspapers has glorified him in their publication.
3	25.02.2016	“14 years on, these 4 men want Modi to do an Advani”	The news item reported that TV channels are running a propaganda against Umar Khalid and Kanhaiya by playing their visuals on loop and labelled them as traitors, the reporter in this news item published that <i>“these students has organized the event to discuss the hanging of Afzal Guru. What is wrong with that? can capital punishment not be questioned?”</i> , the complainant is aggrieved by the fact that the reporter is questioning the hanging of a terrorist by doing so he had breached journalistic ethics and should have maintained some caution as this kind of reporting might lead to violent eruption.
4	25.02.2016	“Umar my student”	This piece has been authored by an editor of the Indian Express who has stressed on the fact that because Umar Khalid is a Muslim student he has been victimised and stressed that being Muslim has made him to be labelled as a

			terrorist. According to the complainant this kind of unethical reporting and stressing on religion of an accused and linking it with some incident is very risky to the maintenance of peace and integrity of a nation.
5	29.02.2016	“Add these to sedition list: Rahul, Yechury, D Raja..	the news item in question has reported that Ld. XI Metropolitan Magistrate L B Nagar ordered filing of cases against Rahul, Yechury, D Raja which according to the complainant opposition leaders are being projected to condemned, which is highly biased and against all the ethical norms and ethical journalistic caution which the Indian Express and Express News Service were required to exercise.
6	09.03.2016	“Where even walls talk”	The report published “that targeting of comrade Umar Khalid as a terrorist is insulting. I see this as a ploy to establish a Hindu Rastra by systematically dismantling the Indian Constitution written by Ambedkar”. According to the complainant uttering anti-national slogans by Umar Khalid of which he has been accused of and which is displayed in videos over various news channels and is still to be adjudicated by Court of law if has been committed in real than is an abuse of right of freedom to expression is accused and has nothing to do with Hindu Religion or setting up of Hindu Rashtra. By doing so the editor of the Indian Express has committed to promote secretarian divide in Indian society.

The Complainant has accused the Indian Express of irresponsible journalism for glorifying individuals accused of sedition as heroes. Not only that adding religious angle to an incident without proper research by editors of a reputed daily like the Indian Express, the complainant claims to be a threat to the peace, sovereignty and integrity of India.

The complainant submitted that legal notice dated 09.03.2016 was issued to all the respondents (the editors/reports who authored/reported the articles/reports) and despite receiving the notice none of them has replied to the legal notice or a corrigendum or the views of the complainant was published. Therefore the complainant pleaded the Council to issue appropriate orders revoking the publishing licence of the Indian Express and further censure and admonish the respondents for gross breach of the recognized canons and journalistic propriety as the respondents have not conducted pre-publication verification.

Written statement from the respondent

A Show Cause Notice dated 30.05.2016 was issued to the editor of the respondent newspaper for filing their written statement, in response, the editor of The Indian Express, Chandigarh edition, submitted that none of the reporters/columnists/contributors are working with The Indian Express Chandigarh edition or in Chandigarh Office of the Indian Express. And thus the Notices addressed to the reporters/columnist/editors/contributors were wrongly addressed to the Indian Express, Chandigarh edition and thus he submits that none of the concerned reporters/columnists/contributors have received the notice. He further submitted that the newspaper's editorial columns are open to both left and right columnists. Thus the alleged objection of the complainant stands invalid in this case. Regarding the first news item the editor informed the Council that it had published photographs when the stage for the 'Make in India' program caught fire and how the program was stopped, thus coverage of fire at an event, is not barred by the norms of journalistic ethics. Secondly, the second article herein referred to captioned "Umar Khalid, my son" is contributed opinion piece and not report or article so the opinions mentioned here is completely of the person and as Umar Khalid was accused of sedition and yet not a convict so the newspaper had refrained itself from getting into such debate and had published the opinion piece without any preconceived notion and had submitted similar explanations for other news items that have been claimed to be unethical by the Complainant. The editor submitted that nowhere have they violated any journalistic ethics and thus no grounds exist to warn, censure or admonish the newspaper or its editor or disapprove their conduct.

Recommendation of the Inquiry Committee

The complainant is aggrieved by the various new items published in the respondent newspaper. He terms those news items to be not balanced and according to the complainant those lower down the image of the country. The Inquiry Committee has perused the complaint and heard the counsel of the complainant and is of the opinion the respondent newspaper while publishing those news items have not committed any breach of journalistic ethics so as to call for action against the respondent newspaper. 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. 18

F.No.14/161/15-16-PCI

Shri Sunkari. Janardan Goud,
Advocate,
Hyderabad.

Vs.

The Editor,
OUTLOOK,
New Delhi.

Adjudication
Dated 17.11.2016

This complaint dated 2.7.2015 has been filed by Shri Sunkari. Janardhan Goud, Advocate, Hyderabad against the editor, OUTLOOK, New Delhi alleging publication of defamatory and derogatory comments and sexiest caricature of woman IAS Officer and tarnishing the image of Hon'ble Chief Minister of State of Telangana & his Office and degrading his dignity referring as "No Boring Babu".

It is reported in the impugned news item that the portfolio of a junior bureaucrat, who is posted in the Telangana CM's office, is mystery, the lady is present at every meeting and seen in almost every official photograph sent out by the CMO but what she does exactly is a puzzle. It is also reported that the IAS officer made a fashion statement with her lovely saris at every meeting and served as an "Eye Candy". The magazine also carried a cartoon of Ms. Sabarwal walking a ramp dressed in jeans and frilly tops with a caricature of CM KCR clicking pictures with other politicians winking and cheering on her.

Denying the allegations made in the article, the complainant submitted that the article in question was published without research and intentionally done without a modicum of truth to it. The complainant submitted that the magazine conveniently and intentionally choose to indulge in selective reporting by deliberately omitting to report about the fact that she was the first woman IAS officer to be appointed to the CMO of Telangana. The complainant submitted that the magazine indulged in cheap sensationalism, thereby dismissing and disrespecting officer's identity as a professional tarnishing, besmirching and belittling the image of the Chief Minister and his office of the State of Telangana. The complainant alleged that the magazine misguided and intentionally tried to belittle and destroy her work and project her in a manner which is nothing but dastardly and extremely sexiest which has no place in today's society.

The complainant vide legal notice dated 10.7.2015 drew the attention of the respondent towards the impugned article and requested to tender detailed public apology through magazine, but received no response. The complainant requested the Council to take stringent action against the respondent for publishing such article and caricature.

A Show Cause Notice was issued to the respondent editor, Outlook, New Delhi on 7.8.2015.

Written statement

In response to the Council's Show Cause Notice dated 7.8.2015 the respondent Chief Editorial Manager, OUTLOOK, New Delhi vide letter dated 22.8.2015 informed the Council that the subject matter is Sub-judice before the Hon'ble High Court at Hyderabad, where the editor and other accused have filed a petition (Cr1.P.No.6794/2015) seeking to quash the FIR (No.163/2015) registered against the

editor and others. He requested the Council to suspend all proceedings in the matter till the matter is decided by the Hon'ble High Court.

A copy of the letter was forwarded to the complainant with a request to confirm whether the matter is sub-judice or not on 7.9.2015.

Counter comments

In response to the Council's letter dated 7.9.2015, the complainant vide letter dated 29.9.2015 informed the Council that he had filed a complaint against the respondent magazine for publishing defamatory article with abusive caricature against the Smitha Sabarwaal, the Chief Minister of Telangana and his colleagues. He submitted that a criminal complaint had been registered against the respondent magazine by Akun Sabarwaal, IPS and the defamatory article & caricature not only pertains to Smitha Sabarwaal but it had also referred the Chief Minister of Telangana and his cabinet colleagues. The complainant also submitted that neither he nor Smitha Sabarwaal had filed any complaint in any court of law in respect of the article and caricature. He requested the Council to dismiss the petition filed by the respondent in the interest of justice.

A copy of the letter dated 29.9.2015 was forwarded to the respondent on 18.11.2015 for information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Despite service of notice neither the complainant nor respondent have chosen to appear. As the matter is sub-judice, the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, recommends to the Council 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. 19

F.No.14/68/14-15-PCI

Shri M. Vasudeva Raju & others Deputy Commercial Tax Officers, O/o Commercial Taxes, Ananthapuram Division, Andhra Pradesh.	Vs.	The Editor, Eenadu, Hyderabad.
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Adjudication

Dated: 17.11.2016

This complaint dated 6.4.2015 had been filed by Shri M.Vasudeva Raju, Dy. Commercial Tax Officer, O/o Commercial Taxes, Ananthapuram against the editor, Eenadu, Hyderabad for allegedly publishing fabricated, sponsored, hypothetical and defamatory series of news items in its issues dated 23.1.2015 to 24.3.2015. English translations of captions of news items read as follows:

1. Enquiry by Additional Commissioner on Cyber Crime
2. Give comprehensive Report on Cyber Crime : Commissioner of Commercial Tax Commissioner
3. Indecent behaviour towards CTO : Three DCTOs under police custody
4. Commissioner's actions on Cyber Criminals
5. Ground Ready to arrest four DCTOs

The news items relates to an incident relating to indecent mails sent to the woman CTO allegedly by the DCTOs who were arrested by the Police for committing cyber crime.

It is reported in the impugned news item that the Additional Commissioner has inquired about the issue of arrest of three DCTOs by the police in connection with indecent mails sent to a woman CTO. He also inquired the facts from both the parties. The police enquiry disclosed that the mails were sent from two internet centres of Ananthapuram and Hyderabad. The employees feel that there will be stringent action against the three DCTOs who committed cyber crimes. It is reported that the Assistant Commissioner has submitted a complete report to the Commissioner and Commissioner has showed anger towards the group of DCTOs.

The complainants alleged the respondent newspaper cannot take a stand on a particular issue as the paper has never heard them. By publishing impugned news item, the reporter has not only destroyed the character of the individuals, but has sent wrong signals to the society that a news reporter can write/do anything whatever he would like in this particular episode the news reporter allegedly wrote a paid article. In the entire episode "no statement, communication is issued by any person either officially or personally" but the news reporter concocted the stories to meet his ends. He never bothered about the facts. The reporter never looked surroundings as to how the parallel dailies were reporting the news on their particular episode. The complainants further submitted that these misleading articles not only destroyed their career as government employees but also their character in the society.

Denying the allegations levelled in the impugned news items the complainants stated that the respondent published false, fabricated and defamatory series of news

items which are one sided. Vide letter dated 1.4.2015, they drew the attention of the respondent paper towards the impugned news item but the paper did not respond. The complainant requested the Council to take necessary action against the respondent.

A Show Cause Notice was issued to the respondent editor, Eenadu, Hyderabad on 15.10.2015.

Written Statement

In response to the Council's Show Cause Notice dated 15.10.2015 the respondent editor, Eenadu, Hyderabad vide his written statement dated 30.11.2015 submitted that the allegations levelled in the complaint are false and vexatious and there are no merits in the complaint. He had submitted that the impugned publication is a factual report on the allegations of harassment of a Woman Public Officer by sending petition through mail to various officers working in Commercial Tax Department with allegations of immorality and unethical practices and complaint lodged by the aggrieved officer. The respondent further submitted that the impugned news items were published only in public interest for public good without any malice, ill will or intention to defame the complainant and the publications were made in routine course as sending objectionable e-mail against a Woman Public Officer and the consequent complaint, investigation, action etc., are matters of public concern and a duty is cast upon the press to disseminate such news in the interest of public. The respondent also submitted that neither his paper nor the sub-editor who edited the impugned news reports committed any professional misconduct nor the impugned publications are defamatory or objectionable. The impugned news reports published in good faith in public interest. He had requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 15.12.2015 for information/counter comments, if any.

Counter comments

In response to the written statement the complainant vide counter comments dated 23.1.2016 submitted that it is unfortunate and unjust on the part of the management/respondent that they took the affidavit/statement of the local news paper's contributor as a litmus test paper and based on which they published baseless, fabricated, imaginative news items which not only harmed them but the society also. The complainant had also submitted that the impugned news items were not only destructive to them and their families but also destroyed the moral of the sincere government employees and these sources and news items forced to bow down the sincerity and integrity of the government employees before the vested interests of a wrong doer in the name of press. The complainants submitted that the brain generated sources and facts, will not be available to anybody and no other news paper has published the such news item. According to the complainant, the news reporter had no reason to come to a conclusion about their guilt and gave a finding that they are guilty which is absolutely wrong as they he wrote the word NAERAGALLU which means who committed crime. The complainants are not satisfied with the reply of the respondent.

A copy of the counter comments was forwarded to the respondent on 9.2.2016 for information.

Recommendation of the Inquiry Committee

The Inquiry Committee has heard the complainant and the counsel for the respondent newspaper, Eenadu, Mr. Jagannath Rao. The complainants are aggrieved by various news items published by the respondent newspaper in its issue dated 23rd of January, 2015 to 24th of March, 2015. The grievance of the complainant is that newspaper has described them as convict but the fact of the matter is that till date they have not been convicted although arrayed as an accused in case. With the help of one of the members, the Inquiry Committee has attempted to understand the meaning of the word used in the impugned news item. The news is in Telugu and the Inquiry Committee is of the opinion that it does not convey the meaning as projected by the complainants.

The Inquiry Committee having perused all the news items is of the opinion that respondent impugned news items have not transgressed any of the journalistic ethics so as to call for action by the Inquiry Committee. The Inquiry Committee, accordingly, recommends to the Council 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. 20

F.No.14/594-595/15-16-PCI

Shri S. Rathinasabapathy,
General Secretary,
Tamil Nadu Min Kazhaga,
Chennai

Vs.

1. The Editor
Dinamalar-National Tamil
Daily, Chennai
2. The Editor,
Kalaikadir, Tamil Nadu

ADJUDICATION

Dated: 17.11.2016

This complaint dated 24.2.2016 has been filed by Shri S.Rathinasabapathy, General Secretary, Tamil Nadu Min Kazhaga Thozhilalar Munnetra Sangam, Chennai against the editors, (i) Dina Malar, Chennai and (ii) Kalaikadir, Tamil Daily alleging publication of false and defamatory news items in their respective issues dated 04.02.2016 under the caption "**Money Swindled in Tamil Nadu Electricity Workers Federation**".

It has been reported in the impugned news items that a complaint is filed against the complainant who is a political leader and the General Secretary of Trade Union of Tamil Nadu Electricity Board Workers Union, for swindling crores of rupees in his capacity as General Secretary and there is irregularity in purchase of land for construction of marriage hall. It is also reported in the impugned news item that the donation given by members has not been remitted in the account and the same is being mis-used by the complainant exclusively. Further, it is alleged that he is abusing DMK party leader and its Treasurer and the other party people as he did not get seat to contest in the assembly election and lok sabha election.

Denying the allegation levelled in the impugned news items, the complainant stated that the allegations are without any basis as the article does not disclose about the member who had been source of information for the respondents' publication. The complainant stated that in each and every rupee spent was properly accounted for the purchase of the land for construction of Marriage Hall. The allegation of not given seat for election is also false as he is in the Party since 1957 and he is working for the Party as well as the Union relentlessly without expecting any returns. The complainant further submitted that the prime intention of the news is to tarnish his image in the general public, members and his parent party DMK without making any due verification before publishing.

The complainant vide legal notice dated 05.02.2016 drew the attention of the respondents towards the impugned news item and requested to publish the rebuttal with an unconditional apology with the same prominence, but no response was received. The complainant requested the Council to take action against the respondents.

A Show Cause Notices were issued to the respondent Editors, Kalaikadir, Tamil Nadu and Dina Malar, Chennai respectively on 04.04.2016.

Written Statement

In response, the Editor, Dinamalar vide letter dated 30.4.2016 submitted that the report was published in pursuit of truth and with good faith. The news item in question

had been published after gathering information from the members of the Union, along with the explanation given by the complainant. There was no malice or personal vengeance in publishing above said news item. They did not have any malafide intention to harm the reputation of the complainant. Being the fourth estate, respondent newspaper has a duty to publish news which touches upon the public interest and the public has a right to receive such news. The complaint lacks bonafide and the same is liable to be dismissed.

A copy of the written statement was forwarded to the complainant on 30.5.2016. No reply has been filed by the Editor, Kalaikadir in response to Show Cause Notice issued by the Council.

Counter comments

The complainant vide counter comments dated 27.8.2016 while reiterating his complaint stated that the respondent had not chosen to divulge the source of information, as the same is not a genuine source. The complainant submitted that the members and the office bearers of the Union are fully aware about the entire transaction and there had been no issues in this regard within the Federation. The complainant submitted that the news has been published on the whims and fancies of the respondents without iota of truth.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Despite service of notice, neither the complainant nor the respondent have chosen to appear.

The complainant claims to be the General Secretary of the Union and aggrieved by the publication of a news item in the respondent's newspapers under the caption "Money swindled in Tamil Nadu Electricity Worker's Federation". According to the complainant the contents of the impugned news item are false and defamatory. However, according to respondent newspaper, it was on the basis of the information given by the members of the union.

The Inquiry Committee has perused the complaint and the written statement and all connected papers and in the facts and circumstances of the case is of the opinion that the respondent's newspaper should also publish the version of the complainant. The Inquiry Committee accordingly gives liberty to the complainant to give his version to the respondent newspapers within two weeks. The respondent newspapers in turn are directed to publish the version of the complainant with necessary editing within two weeks thereafter. The Inquiry Committee, accordingly, recommends to the Council for disposal of the complaints in the aforesaid term.

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. 21

F.No.14/485/15-16-PCI

Smt. Susheela Bele,
w/o late Shri RamdayalBele,
Bhopal, Madhya Pradesh

The Editor
Dainik Jagran
Madhya Pradesh

Adjudication
Dated 17.11.2016

This complaint dated 20.10.2015 has been filed by Smt. Susheela Bele, w/o late Shri Ramdayal Bele against the Editor, Dainik Jagran, Bhopal for alleged publication of false, baseless, misleading and fabricated news under the caption 'लोन के कमीशन व महिलाओं से संबंध में छुपा डीआईसी मैनेजर की हत्या का राज' and 'अवैध संबंध में की गई डीआईसी मैनेजर की हत्याए' in its respective issues dated 27.8.2015 and 28.8.2015 respectively.

It is reported in the impugned news item dated 27.8.2015 that Shri Ramdayal Bele, DIC Manager was murdered due to illicit relationship. The private part of the deceased was damaged by weapon. In another news that item dated 28.8.2015 it was reported that the deceased had illicit relations with half-a-dozen women/girls. Late Shri Ramdayal Bele used to take 20% commission in sanctioning loan. The DIC Manager has taken a flat on rent in Raisen and the said lady used to reside with her children there. The Manager consumed alcohol while travelling to Bhopal from Raisen. The murder took place due to illicit relationship between the Manager and the lady. The Manager used to have illicit relation in lieu of sanctioning loan. In the inquiry conducted by the Police, the ladies alleged to have accepted illicit relationship with him.

The complainant submitted that the impugned news was published to manipulate the facts and to cast aspersions on her deceased husband. She stated that her husband was an honest person who was honored for his excellent work by the State Govt. The allegations in news against complainant's late husband are without any documentary proof and statement. According to post-mortem report, there was no injury on the private part but the entire news was presented in such a way so as to appear that he was murdered due to illicit-relationship. The complainant further submitted that allegation of consuming of alcohol is also false as his bladder was empty in the post-mortem report. The allegation of illicit relationship is also baseless because, according to press note of police, the culprit Pappu suspected that complainant's husband was in the illegal relationship. The woman in question has also given the statement that she has no relationship with complainant's husband. Hence, the news has published to defame her husband and family which caused her mental agony.

The complainant through her letter dated 20.10.2015 drew the attention of the respondent editor towards false and baseless facts mentioned in news and sought their reply but received no response.

A Show-Cause Notice issued to the respondent Editor, 'Dainik Jagran', Madhya Pradesh on 29.12.2015.

Written Statement

In response, the respondent vide its undated written statement while denying the allegations as alleged by the complainant submitted point wise reply. He submitted that the report was published on the statement given by Police. The report of injury in private parts was published on the basis of statement given by police in press conference before the post-mortem report. The flat which was taken by the deceased on rent, the lady in question used to work in that house and the accused has also clearly disclosed the reason for murder of complainant's husband. The Press Note issued by Police mentioned this fact. The staff of the deceased also gave similar statement about the misconduct of the deceased. Persons victimized by Shri Bele also disclosed his acts before the Police based on those statements news were published.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. Shri Shreyansh Bele, son of the complainant appeared for the complainant.

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

The complainant happens to be the wife of one Shri Ramdyal Bele, who was working as Manager in District Industries Centre (DIC), who was murdered and the fact of this murder was published in the respondent newspaper, Dainik Jagran. The newspaper indicated that the murder had taken place as the complainant's husband had illicit relationship with women and used to take commission on loan advance.

The respondent newspaper has filed written statement but had not chosen to appear when the matter is taken up by the Inquiry Committee. The plea of the respondent in the written statement is that the impugned news item was published on the basis of the statement given by the police in Press Conference. The Inquiry Committee is of the opinion that as the respondent has published the news on the basis of the statement given by the police in the Press Conference, no action needs to be taken against the newspaper. However, this shall not be construed to mean that what has been stated in the news is correct.

The Inquiry Committee, accordingly, recommends to the Council 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 decided to **Dismiss** the complaint.

Press Council of India

Sl.No. 22

File no.14/581/15-16-PCI

Shri Ashvin M. Hirani
A-7, Ram Niwas, 2nd Floor
Dadabhai Road, Vileparle (West)
Mumbai- 400056
Maharashtra

Vs.

The Editor
Sandesh
SolitorComercial Complex Park,
Chakata Road, Andheri (East)
Mumbai

ADJUDICATION

Dated: 17.11.2016

This complaint dated 11.02.2016 has been filed by Shri Ashvin M. Hirani, Mumbai against the Gujarati Newspaper 'Sandesh' for allegedly publishing false, defamatory and paid news against the complainant in its issue dated 28.01.2016 captioned "***Jogeshwari School ke plot par vivadh***". The news item in question reports that the complainant in connivance with the Developer sold the plot of Jogeshwari School. However, according to the complainant, the Developers in connivance with the Municipal Corporation has prepared fake documents to construct extra floors which is illegal and has paid the newspaper to publish the aforesaid fake news against him where it has been mentioned that the complainant along with few other persons are blackmailing the Developer.

Denying the allegation levelled against him in the impugned news item, the complainant submitted that the impugned news item was published with an intention to malign his reputation in public as well as in the school. According to the complainant, the Developers had paid the newspaper for publishing such false news. The complainant vide letter dated 30.01.2016 drew the attention of the respondent newspaper towards the impugned news item, but received no response was received. He has approached the Council to seek justice.

Written statement from the respondent

A Show Cause Notice was issued to the respondent on 14.06.2016, however, reply has been filed by the respondent paper.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi.

It is the allegation of the complainant that the impugned news item, that the complainant in connivance with the developer sold the plot of Jogeshwari School is false, defamatory and a paid news at the instance of the Developer. According to him, the Developer in connivance with the Municipal Corporation Authority had prepared fake documents to construct extra floors and a false news has been published that the complainant along with few other persons are blackmailing the Developer. The complainant had expressed his inability to appear before the Inquiry Committee and requested for decision on merit.

Despite service of notice, the respondent had not chosen to appear nor filed the reply. In the absence thereof, the Inquiry Committee has no option than to accept complainant's version and direct the respondent newspaper to publish the version of the

complainant. The Inquiry Committee, accordingly, directs the complainant to give his version to the respondent newspaper within two weeks. The respondent newspaper in turn shall publish the complainant's version with necessary editing within two weeks thereafter. The Inquiry Committee directs for disposal of the complaint in the aforesaid terms.

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. 23

F.No.14/132/15-16-PCI

The Chairman and Managing Director,
Aamani Group,
Ahmedabad.

Vs.

The Editor,
Sandesh,
Gujarat.

Adjudication
Dated: 17.11.2016

This complaint dated 30.3.2015 had been filed by the Chairman and Managing Director, Aamani Group, Ahmedabad against the editor, Sandesh allegedly publication of false and defamatory news item in its issue dated 29.3.2015 under the caption "**Dholera mein Aamani group ki planting scheme mein investment kiya to rone ki bari**". It is reported in the impugned news item that Aamani group has not undertaken the soil test of plot earmarked for sale in Dholera area. If a customer asks for Soil Report, they have no answer. Aamani group's another scheme 'Thathastu' and Aravali Valley's project are also in doldrums. Whosoever invests in Aamani's project is doomed.

Denying the allegations levelled in the impugned news item, the complainant submitted that they are a leading and reputed company in Real Estate, Club, Resorts Business. He had also stated that the representative of the respondent newspaper used to frequently visit them and pressurized them for giving advertisements for their newspaper and when they refused to do so he threatened them to malign their image by giving them negative publicity. The complainant submitted that they informed the senior officials of the respondent newspaper about indulgence in yellow journalism by their correspondent and advised them to restrain him.

They had stopped giving advertisement of any kind after this incident to the respondent newspaper. The complainant also submitted that recently they entered into an MoU with Divya Bhaskar, a competitor of the respondent newspaper and after that the respondent newspaper has been pressurizing them for advertisement and when they denied, the respondent again published the allegedly false and defamatory news item. The complainant submitted that the respondent had not verified the facts from their office and the impugned article published by the respondent is totally false with vested interest and far from truth as they had got done the soil test in November 2014 through government approved agency with proper license and registration. The complainant drew the attention of the respondent towards the impugned publication on 13.4.2015 and requested to publish clarification but the paper did not respond. He had requested the Council to take action against the respondent.

A Show Cause Notice was issued to the respondent editor, Sandesh on 28.4.2016.

No written statement

In response to the Council's Show Cause Notice dated 28.4.2016, Shri Rishabh Gulati, Advocate for the Respondent vide letter dated 23.3.2016 received in the Secretariat on 25.5.2016 informed the Council that the respondent newspaper engaged them as Counsel and they are finding documents and relevant information in respect of complaint filed before the Council and therefore requested the Council for extension of time to file reply in the matter, but no reply has been filed so far.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 8.9.2016 at New Delhi. Shri Amit Parila, Legal Officer appeared on behalf of the complainant whereas Shri Amrendra K.Jha, Manager, Sandesh represented the respondent paper.

The complainant has filed this complaint against the respondent newspaper alleging publication of a false and defamatory news item in its issue dated 29th of March, 2015. In the impugned news item it had been reported that the complainant's group has not got done the soil test of land earmarked for sale in Dholera area and hence, whoever will invest in the said scheme will be forced to weep. It is the assertion of the complainant that such a test was done and the entire news item is false and concocted. Show Cause Notice was issued to the respondent. Its counsel earlier informed the Council that documents and relevant information are being gathered and accordingly four weeks time was prayed for filing their reply. Till date the respondent has not chosen to file any reply.

The Inquiry Committee has heard the complainant and perused the complaint and the entire record. The Counsel for the respondent prays for time which has been opposed by the complainant. The Inquiry Committee do not find any ground to accede to the prayer to the adjournment and the counsel was requested to address the Committee on merit. He has not chosen to do so. In the absence of any reply by the respondent, the assertion made by the complainant that the impugned news item is false is accepted. Accordingly, the Inquiry Committee recommends to the Council that the respondent newspaper be **Censured**.

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, Sandesh.

PRESS COUNCIL OF INDIA

Sl.No. 24

F.No.14/55/16-17-PCI

Shri Sudeep Kumar Saha,
Aishwarya Avant Builders LLP.,
Mumbai.

The Editor,
Sunday Express,
(Indian Express)
Mumbai.

ADJUDICATION
Dated: 17.11.2016

This complaint dated 13.5.2016 has been filed by Shri Sudeep Kumar Saha, Designated Partner on behalf of M/s Aishwarya Avant Builders LLP, Mumbai against the Editor, Sunday Express (The Indian Express), Mumbai for publication of a news item under the caption “**1500 year old Jogeshwari Caves buried under slum debris, garbage**” in its issue dated 8.5.2016. It is reported in the impugned news item that Jogeshwari caves lie underneath and debris of the filth slum of Pratap Nagar, surrounding the monument. The dumping of garbage and the leakage of sewage from the chawls above down the walls of the caves have led to problems of seepage and water stagnation inside the monument, damaging its architectural carvings. It is also reported in the impugned news item that the building is constructed for the rehabilitation of slum dwellers by the complainant’s company, the slum rehabilitation authority (SRA) violates norms as the construction falls under the prohibited area and if noticed by the Court, its construction might be stayed.

Denying the allegations levelled in the impugned news item the complainant stated that the fact mentioned therein are false and frivolous and do not have any legality and the same has been published without proper research, analysis and published on hearsay, street smart opinions without cross verification of the authenticity and legality. The complainant further submitted that they have all the requisite permission and sanctions including that of the Archaeological Department and the SRA and there is no violation or breach of any of the development rules and regulation, hence, question of Court intervening in the matter does not arise.

The complainant vide letter dated 13.5.2016 drew the attention of the respondent towards the impugned news item and requested him to revoke the said article with immediate effect and print an unconditional apology. He requested the Council to take appropriate action against the respondent.

A Show Cause Notice was issued to the respondent editor, Sunday Express, Mumbai on 15.6.2016.

Written Statement

In response to the Council’s Show Cause Notice dated 14/15.6.2016 the respondent Editor, The Sunday Express, Mumbai vide letter dated 27.6.2016 submitted that the article was carried in good faith, in public interest, based on information and/or documents from reliable sources, believing the same to be true and correct and without malice towards the complainant or anyone else. The respondent submitted that during preparation of the article, the reporter had spoken to several persons within the vicinity of these ancient cave temples including residents and one person, Mr. Sandeep Prabhulkar has been quoted verbatim and the newspaper its editor or the reporter have

not given any comments or opinion on what Mr. Sandeep Prabhulkar has stated. He further stated that a bare perusal of the article will reveal that it seeks to cover the condition of one of the oldest cave temples in this region, which is found at Jogeshwari, within Greater Mumbai and the article highlight the pitiable conditions therein, and the urgent need to preserve these ancient cave temples. The respondent also submitted that preservation of ancient cave temples and monuments is a matter of public interest and where there are encroachments debris, litter and/or deterioration, it is matter of genuine interest and public concern. The respondent also submitted that on receipt of the letter dated 13.5.2016 from the complainant, a clarification was published under the heading "CLARIFICATIONS & CORRECTIONS" in the newspaper in its issue dated 5.6.2016 which is as follows:

"On 8.5.2016 in the article '1500 year old jogeshwari caves buried under slum debris, garbage,' a quote was carried relating to the 18floor building being constructed by Avant Builders under SRA. They have clarified that they have procured all requisite permissions and sanctions and there is no violations or breach of the development rules." A reply dated 5.6.2016 was sent to Aishwarya Avant Builders LLP and they have received the reply. He requested the Council to close the matter.

A copy of the written statement was forwarded to the complainant on 13.7.2016 for information/counter comments.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Committee on 8.9.2016 at New Delhi. Shri Mritunjay Kumar Tiwary, Advocate represented the complainant and Shri Kunal Anand, Advocate and Shri Rajeev Agarwal, Sr. Executive appeared on behalf of the respondent newspaper, the Indian Express.

It is the allegation of the complainant that in the story published by the respondent newspaper in its issue dated 8.5.2016 under the caption "1500 years old Jogeshwari Caves, buried under slum debris garbage it has been stated that "the 18 floors building being constructed by Avantha Barasunder violates norms and falls in a prohibited area". It has been reported in the said article on the basis of the statement given by one Shri Sandeep Prabhakaran. It is the assertion of the complainant that all requisite permission and sanctions were obtained before carrying out the construction and therefore, the allegation in the impugned news item is false. It is further assertion of the complainant that for publication of the said news item the version of the complainant was not taken. The complainant further asserts that the clarification sent by them was published in such a manner that it cannot be correlated with impugned article.

The Inquiry Committee has heard the counsel for the complainant, the respondent and has perused the complaint, the written statement and all other connected papers. The Inquiry Committee is of the opinion that the respondent newspaper has violated norms of journalistic ethics by not taking the version of the complainant before publishing the impugned part of the news item. The Inquiry Committee, further finds substance in the grievance of the complainant that the clarification published, in no way can be correlated with the impugned news. The Inquiry Committee is of the opinion that the respondent newspaper ought to have been more careful in the matter and recommends for the disposal of the complaint with a direction to the respondent 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 a direction to the respondent newspaper to be careful in future.

Press Council of India

Sl.No. 25

F.No. 14/181/2015-16-PCI

Shri Kailash Kumar Agarwal, Dhanbad, Jharkhand	Vs.	The Editor Hindustan, Jharkhand The Editor Dainik Jagran, Jharkhand
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ADJUDICATION

Dated: 17.11.2016

This complaint dated 2.6.2015 has been filed by Shri Kailash Kumar Agarwal against the Editor, Hindustan and Dainik Jagran, Jharkhand for allegedly portraying women as “commodity” in the advertisements published in those newspapers.

The complainant submitted that our country is addressed as Bharat Mata where women are respected as sister, daughter, mother, wife and grandmother and the relation between man and woman is named as creation of God. Such pious relationship has been made part of the marketing strategy to sell products. The impugned advertisements are published to advertise the products by objectifying the women which affect minds of children and the adolescents. Market driven culture has led to depiction of woman as a commodity. The manner in which names are being portrayed is objectionable as these advertisements are instigating sexual crimes, eve teasing, rape in the society. He added that by using the word, “शौकीन” in the advertisement, to lure people, to enjoy one time, a wrong message is conveyed to the society. The complainant requested the Council to take action against such advertisements published in papers.

A Show Cause Notice issued to the respondent Editors, Dainik Jagran and Hindustan, Jharkhand on 8.6.2016 but no response received.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. The complainant was not present whereas Shri Arun Pathak, Advocate appeared on behalf of the respondent Hindustan, Jharkhand.

The complainant is aggrieved by the publication of certain advertisements in the respondent newspaper which according to him are indecent and obscene, derogatory to women and may deprave or corrupt readers. The Inquiry Committee has perused the complaint as well as the impugned advertisements and the visuals contained therein. It is of the view while the advertisements seem to be in poor taste, they cannot be termed as obscene nor can it be said to have violated journalistic ethics. The Inquiry Committee is further of the view that it is for the Drug Controller or any other appropriate authority to decide, if the claims made in the advertisements are false, misleading or exaggerated and whether they warrant action under the law.

In view of the aforesaid, the Inquiry Committee is not inclined to proceed any further in the matter. It, accordingly, recommends to the Council for disposal of the complaint with the observation aforesaid.

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 observations.

Press Council of India

Sl.No. 26

F.NO. 14/172/15-16-PCI

Shri Gajendra Kumar Singh
Siliguri, West Bengal.

Vs.

The Editor
Teesta-Himalaya
Amravati, Upper Road,
Gurung Nagar, Siliguri-3,
Darjeeling, North Bengal.

ADJUDICATION
Dated: 17.11.2016

This complaint dated 13.07.2015 has been filed by Shri Gajendra Kumar Singh, a School teacher and resident of Gandhi Nagar, Siliguri, against the Editor of 'Teesta-Himalaya' one of the leading Hindi Magazines (Monthly) in North Bengal, for misusing the magazine for publishing baseless and defamatory news items against others out of vengeance and for blackmailing people. The magazine has started functioning from the year 2003 and has been accused by the complainant of publishing false news items which has never served the interest of the people. The complainant submitted that Dr. Rajendra Prasad, Editor is his elder brother and both the brothers had jointly bought a piece of land in 1983 whose registration was pending meanwhile when Dr Rajendra Prasad got married to Mrs. Ranju Singh, he illegally registered the land in his spouse's name and when the complainant asked for his portion of land, he was humiliated. The complainant filed a civil suit against Dr Rajendra Prasad for the illegal possession of land and thereafter, Dr Prasad started misusing his magazine to allegedly publish series of false and defamatory news stories against the complainant in Teesta Himalaya. The details of the impugned news item are given herein below:

Sl. No.	Subscription Dated	Captioned
1.	February, 2015	"jalsanjho ki kartutay- Dushru ki jamin harapnay ka asaan tarika".
	February, 2015	"Rajganj ke bhumi rajasv अधिकारी Kaushik Mallik aropo ki gheray mein".
2.	April, 2015	"Jalsanjho Ki Kartutay- Rajganj Bhu-Rajasv Vibhag mein bhrastachar ka makarjal"
3.	July 2015	"bhrastha अधिकारियों तथा Bhu-mafia ka ayabadh makarjaal".
3.	December, 2015	"Bhrastha अधिकारियों को काun bacha raha?"

The complainant further submitted that Dr. Rajendra Prasad has lodged a false complaint of theft and forgery against him and his wife at the Police Station and after that he has published several defamatory news stories against him and his wife which has spoilt their reputation. However, on the contrary, the editor and his wife indulge in illegal activities and constantly misusing his magazine to veil the illegal activities and have several cases filed against him in different police stations whose copies are also shared by the complainant.

The complainant initially has filed his grievance before the Editor of 'Teesta-Himalaya' magazine on 23.04.2016 & 22.03.2016 requesting him to not to publish defamatory news stories against the complainant but has not received any response.

The complainant pleaded the Council to take appropriate action against the editor of 'Teesta-Himalaya' so that such misuse of the press is stopped immediately.

Written statement

The Council issued a Show Cause Notice dated 08.06.2016 to the respondent editor and a written statement dated 24.06.2016 was filed by the editor in which he has submitted that the news stories carried out in the magazine are based on facts and documents with the Court of law, police and the relevant department of the Government of West Bengal, and the allegation of the complainant is baseless. He has further submitted that there is no dispute between him and the complainant and the news stories are based on a land scam which has led to the dispute between Mrs. Ranju Singh and the complainant. The respondent further submitted that Mrs. Ranju Singh has bought a piece of land from Anushil Sing, Siliguri, Darjeeling, which was mutated in the name of Mrs. Ranju Singh in 2013 and she has been paying all the tax for the purchase, however her name had been illegally deleted from the Record-of-Right, without notice. After she procured the certified copy, it came to her notice that her name had been deleted and the name of Shri Gajendra Kumar Singh is recorded as the owner of the piece of land. As such Mrs. Ranju Singh lodged an FIR in respect of forgery and the case is pending in the Court, and on 19th November 2014 the complainant swore an affidavit on 19th November 2014 claiming that Mrs. Ranju Singh died leaving him as the sole legal heir to her property. Saying this respondent submitted that they have not published anything defamatory and thus the complaint made by the complainant is baseless and does not stand.

The respondent vide his further letter dated 28.8.2016 submitted that the complainant has withdrawn all of his complaints and submitted unconditional apology, the matter stands resolved. He further mentioned that nexus of land mafia working in the area exposed on the reporting of his magazine. The police arrested even the complainant. The police also arrested the Notary Public who illegally authorized his documents. Departmental inquiry was commenced against the land department officials and the complainant and charge sheet submitted in the State Vigilance Commission (Govt. of West Bengal). In this regard, he has published letter of the complainant and other official reports in the edition.

Recommendations of the Inquiry Committee

The matter came up before the Inquiry Committee on 8.9.2016. There was no appearance from either side.

The complainant vide letter dated 3.9.2016 informed the Council that in view of the settlement between the parties, he may be allowed to withdraw the complaint filed by him. The Inquiry Committee accedes to the prayer and permits the complainant to withdraw the complaint. The Inquiry Committee, accordingly, recommends to the Council that the complaint be allowed to be withdrawn.

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 that the complaint be allowed to be withdrawn.

Press Council of India

Sl. No. 27

F. No. 14/106/15-16-PCI

Shri Vidyanand
Hajipur, Vaishali,
Bihar

The Editor,
Prabhat Khabar,
Jharkhand

Adjudication
Dated 17.11.2016

A copy of an undated communication addressed to the Chief Editor, Prabhat Khabar was inter-alia endorsed to the Council by Shri Vidyanand, Hajipur, Bihar on behalf of his mother, Mrs. Geeta Singh in connection with a news item dated 6.5.2016 captioned “चार स्थायी शिक्षिकाओं की सेवा समाप्त” published in Prabhat Khabar. The complainant alleged that the news published was unauthenticated.

It is reported in the impugned news item that the services of the four teachers have been terminated as their training certificates were not from the recognized training institutes. These teachers were appointed in Motihari on the salary of Rs. 34540/-. In course of inter-district transfer policy they were posted in different schools of Vaishali district. On examining their relevant certificates, it was found that those were from unrecognized institutes and as such their services were terminated. News items further reported that it was surprising that they were being paid salary in Motihari. It is also reported in the impugned news item that earlier they got the salary and now on the directions of the DEO the appointment of four teachers has been cancelled and they are terminated from the service. The complainant stated that the names of the teachers alongwith the names of the school where they were posted was mentioned in the impugned news item.

Denying the allegations levelled in the impugned news item the complainant submitted that in Bihar, 34540 permanent teachers were appointed in the month of Feb, 2012 vide Hon'ble Supreme Court's order dated 13.10.2011 and merit list of the selected teachers was prepared by retired judge of Patna High Court, under the supervision of Hon'ble Court. The complainant submitted that the application of her mother was considered and she was appointed as Teacher in Feb 2012 and posted in the district of Saran. In Feb. 2014 she was transferred to the district of Vaishali under inter district transfer policy for women teachers adopted by the State government. He further submitted that her (Geeta Singh) documents were verified and even her service was confirmed by the competent officers but the DEO of Vaishali upon verification of the documents found that her training college didn't have the recognition for the session 1983-85 and she was served with an explanation call and even after giving appropriate response, she has not received salary. The impugned news item has caused a lot of mental agony to his mother. He submitted that his mother has not received any official dismissal letter till date and it appears to be a pressure tactic as the Education Deptt. Office of Vaishali has become a centre of bribery. He further alleged that one of the clerical staff of education department demanded a huge sum from his father to resolve this issue but he refused. He had also demanded bribe during Inter-District transfer process to allot school of his mother's choice. But when she refused, her actual choice of a nearby school was forcefully changed because of his influence. The complainant drew the attention of the respondent towards the impugned news item but received no response.

No Written Statement

A Show Cause Notice dated 15.10.2015 was issued to the respondent Editor, 'Prabhat Khabar', Jharkhand but no written statement was filed.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. Despite service of notice, there was no appearance on behalf of the respondent. The complainant, however, he has shown his inability to attend the hearing vide his letter dated 5.9.2016.

The complainant is aggrieved by the publication of the news item in which it has been stated that four permanent teachers' services have been terminated as the training certificate given by them were not from the recognized institute. It is the assertion of the complainant that the name of her mother figured in that who was appointed as teacher on the basis of the merit list prepared by a retired Judge of the High Court. However, in the complaint, the complainant has not denied the fact of termination of service of his mother.

By further communication dated 5.9.2016, the complainant has informed that his mother had filed a Writ petition before the High Court and the matter is pending there. The Complainant has stated that there is no point in having separate hearing by the Inquiry Committee in the matter.

In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further and accordingly, recommends to the Council 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 decided to **Dismiss** the complaint.

Press Council of India

Sl.No. 28

F.No. 14/36/16-17-PCI

Shri RajenPuzari,
Ex-Founder Secretary,
Dergaon Journalists Association,
Assam

Vs.

The Editor,
AsomiaPratidin,
Guwahati

Facts

This complaint dated 20.4.2016 has been filed by Shri Rajen Puzari, Assam against the Editor, Asomia Pratidin alleging publication of a false and baseless news item in its issue dated 22.2.2016 under the caption “conspiracy against press reporters came to light ultimately: Discovered the identity of the accused”.

The impugned news item relates to disclosure of the name of the person (complainant) who happened to have been allegedly publishing leaflets against a Section of Press Reporters of Dergaon for a long time. It is reported in the impugned news item that one person considered to send messages from his mobile phone to the leaders of Dals Sangathans to abstain from the programs of Dergaon locality staging protests and measures. In these messages the word used against a section of Press Reporters as Sanchetan Manch and made bad remarks against two specialized press reporters. These messages were sent by one Shri Rajen Puzari (complainant), the Ex-Press reporter and presently a school teacher of Dergaon who was expelled by a daily newspaper from local press reporting for many complaints.

The complainant alleged that the news is false, baseless and published as a part of conspiracy so as to harass him due to which he has lost his reputation and dignity in the society. He informed that he is an Asstt. Teacher of Dergaon Girls Senior Basic School at Dergaon. According to him the two media reporters of Dergaon, Assam; namely Shri Padmalochan Nath, Asstt. Professor of Devicharan Barua Girls’ college at Jorhat and Press Reporter of ‘Asomia Pratidin’ and Shri Jagat Jagannath Sonowal, reporter for the electronic media house “PRATIDIN TIMES’ have been harassing and blackmailing many reputed persons at Dergaon by publishing fake news through their respective media houses. He further informed that Shri Podmalochan Nath, a college lecturer is a govt. employee and according to the rules of the govt. of Assam, no govt. employee is allowed to take up journalism or media reporting while in service. Shri Nath is continuing his lectureship and irresponsible journalism simultaneously for several years.

The complainant vide letter dated 2.3.2016 and 19.3.2016 drew the attention of the respondent towards the impugned publication but received no response. He requested the Council to take necessary action.

A Show Cause Notice issued to the respondent Editor, ‘Asomiya Pratidin’, Guwahati on 30.5.2016 but received no reply so far.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. There was no appearance from either side.

Despite service of notice, the complainant has not chosen to appear. In fact, by letter dated 1.9.2016 he has informed that he has decided not to attend the meeting of the Inquiry Committee. The Inquiry Committee has perused the complaint and all connected papers and is of the opinion that the respondent newspaper while publishing the impugned news has not violated any journalistic ethics so as to call for any action. The Inquiry Committee, accordingly, recommends to the Council 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.14/81/14-15-PCI

Shri Suryakant Sharma,
Jharkhand

The Editor,
Hindustan, Dainik
Dhanbad, Jharkhand

Adjudication

17.11.2016

Case Summary

This complaint dated 2.4.2014 has been filed by Shri Suryakant Sharma, Dhandbad, Jharkhand against the editor, Hindustan alleging publication of news under the caption “ *Nirsa ki ek lakh aabadi ko jald milega paani*” in its issue dated 9.3.2014 in favour of Marxwadi Samanvay Party, MLA, Aroop Chaterji.

It is reported in the impugned news item that one lakh population of Nirsa district will be provided water of Methon from the year 2013-14. Principal Secretary, Sudhir Prasad has released orders to this effect and Shri Aroop Chatterji, MLA of Nirsa has confirmed the release of such order.

The complainant alleged that Anand Mahto, candidate of Marxwadi Samanvay Samiti for Lok Sabha had distributed ten thousand copies of the newspaper amongst voters in Vidhan Sabha region of Jhariya, Sindri, Nirsa, Bokaro, Dhanbad and Chandankiyari. The impugned news item repeated that Shri Mahto has been telling voters, that the way Marxwadi Samanvay Party MLA has provided facility of water to people of Nirsa, if he is elected as an MLA, he would also provide as facility of water, electricity, road, health facility etc. Shri Mahto further insisted voters to read Hindustan which is good newspaper and it publishes correct information. He appreciated its correspondent and editor for the same. The complainant submitted that the correspondent, Mathon and local Dy. Editor, Dhanbad received money to publish the impugned news in favour of candidate of Marxwadi Samanvay Samiti. The complainant requested to take strict action against the respondent newspaper.

A Notice for Comments was sent to the respondent editor, Hindustan, Jharkhand on 15.9.2015 followed by a Show-Cause Notice dated 30.5.2016.

Written Statement

The respondent vide his letter dated 26.7.2016 denied all the allegations made by the complainant in his complaint and submitted that the alleged complaint is baseless and frivolous. He further submitted that the article was published on the basis of the true and correct facts and after due verification of the facts in response to the letter written by the MLA to the Water and Sanitation Department for addressing the said issue in question. He alleged that the instant complaint is nothing but an attempt to brow beat the media and journalists. He further submitted the complaint is not maintainable. He has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 31.8.2016 for information/counter comments, if any.

Recommendation of the Inquiry Committee

Following an adjournment, the matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi.

Despite service of notice, the complainant has not chosen to appear. On the earlier occasions also he has not appeared before the Committee. The Inquiry Committee has perused the complaint and the connected papers and 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. 30

File No. 14/554/12-13-PCI

Shri Rajeev Bhadauria,
Authorised Representative,
Jindal Steel & Power Ltd.,
O.P. Jindal Marg, Haryana

Vs.

1. M/s Dilligent Media Corporation Limited, Owner of DNA, Mumbai
2. Editor-in-Chief, DNA, Mumbai
3. Mr. Deepak Rathi, Printer & Publisher, DNA, Mumbai
4. Mr. Punit Goenka, Director, M/s Dilligent Media Corporation Ltd., Mumbai
5. Mr. Aditya Sinha, Former Editor-in- Chief, DNA, Mumbai

ADJUDICATION

Dated: 17.11.2016

This complaint dated 8.11.2012 has been filed by Shri Rajeev Bhadauria, Director, Jindal Steel & Power Ltd., New Delhi against the Editor, DNA for publication of an impugned news article and unjustifiable use of name "Jindal" in its issues dated 13.9.2012, 24.9.2012 & 25.9.2012 under the caption "Jindal could be hauled over the coals", "The great coal robbery: How three J's multiplied their wealth" & "The great coal robbery: Cool to plum posts, all blocks of coal " respectively. It has been stated in the impugned news item that the Congress MP Shri Naveen Jindal, Jindal Steel and Power Ltd., got nine blocks, Jindal's brother-in-law, Shri Sandeep Jajodia got five while the Jayaswal family was allocated ten. It has been further alleged that the Union Coal Minister will write to the Power Minister that companies such as JSPL should be stopped from earning super profits by selling power at exorbitant rates. It has also stated that JSPL is one of the companies mentioned by CAG as a beneficiary in the coal block allocation scam.

The complainant while denying the allegations levelled in the impugned news articles, has stated that the impugned articles contained wrong and manipulated story, devoid of all truths and per-se defamatory material against him and its management. He has further stated that the word "Jindal" was purposely used to sensationalize the news article and is a deliberate attempt to malign and tarnish the name of the complainant. He has also stated that the statement made by the Hon'ble Coal Minister was misquoted in the article who was speaking about the companies in power sector and not specifically about the complainant herein. The complainant has sent three letters two of dated 20.10.2012 and one of dated 26.12.2012 to the respondent editor, DNA to publish the contradiction but not did receive any response. He has requested the Council to take strict action against the respondent.

A Show Cause Notice was issued to the respondent editor on 17.12.2012 for the written statement.

Written Statement

The respondent, DNA in his written statement dated 4.12.2013 filed through his advocate while denying the allegations levelled by the complainant has stated that the news reports were published in good faith, in public interest, based on information and documents received from reliable sources including Mr. Sripakash Jaiswal, Union Cabinet Minister, Ministry of Coal and Comptroller & Auditor General of India, former Chief Minister of Jharkhand Mr. Babulal Marandi, Mr. Hansraj Ahir, Member of Parliament of BJP etc. believing the same to be true and correct and without malice towards the complainant or anyone else. He has stated that no extrinsic facts have been pleaded by the complainant to censure the words imputed in the news reports, as innuendos. The respondent has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 30.12.2013 for his counter comments.

Rejoinder

In response to the Council's letter dated 3.4.2014 the complainant vide his letter dated 11.4.2014 has submitted his rejoinder in which it has been stated that the impugned publications were not only factually wrong but were made with the malicious intent of defaming the complainant. The impugned publications misquoted prominent public figures such as Union Cabinet Minister, Ministry of Coal, the former Chief Minister of Jharkhand, etc. It was further stated that the respondent distorted the statements made by Mr. Sripakash Jaiswal, Union Cabinet Minister, Ministry of Coal in the impugned publication dated 13.9.2012. It was also alleged that the heading of the impugned publications were also sensational and provocative and failed to justify the matter printed under them. It was also denied that the complainant has failed to disclose any cause of action against the respondents. It was alleged that the respondents are taking undue advantage of an audit report with regard to 'Allocation of Coal Blocks and Augmentation of Coal Production', submitted by CAG in the month of August, 2012. The CAG only looked into the widening gap between domestic demand as against supply of coal, leading to increase in coal import and pointed out reasons for such gap. The CAG only indicated Coal India Limited for its failure to increase coal production along with other private parties who failed to start production of coal, howsoever; there is no finding or indictment against the complainant. Also, the respondent has failed to place any cogent material on record to show that the news report published by them was actually based on the CAG Report or any finding/observation made by CAG. It was also denied that the complainant is trying to intimidate and pressurize the respondents from reporting matters of genuine public interest. The complainant has requested the Council to allow the complaint.

A copy of the rejoinder was forwarded to the respondent on 25.4.2014 for comments.

Recommendation of the Inquiry Committee

Following large number of adjournments, the matter came up for final hearing before the Inquiry Committee on 3.10.2016 at New Delhi. Ms. Suriti Chowdhary, (Khaitan & Co.), Mr. Rajat Jariwal, Mr. Gurpreet S. Parwaida, Mr. Sadin Jain, Advocates were

present on behalf of the complainant. Mr. Tejveer Bhatia, Mr. Siddhartha Jain, Mr. Rohan Swarup, Advocates and Mr. H.V.Tripathi, Authorized Representative appeared for the respondents.

The Inquiry Committee has heard the counsel for the complainant as also the counsel representing the respondent. The complainant is aggrieved over publication of three news items in the respondent newspaper in its issues dated 13.9.2012, 24.9.2012 and 25.9.2012. News item dated 13.9.2012, starts with the heading "Jindal could be hauled over the coals". It is the assertion of the complainant that the aforesaid headline is sensational and the contents of the news do not justify the said headline. It is further plea of the complainant that before publication of the said news item the complainant's version was not taken and a general statement, was made Jindal specific. It is also the plea of the complainant that the written clarification made by it had not been taken note of by the respondent. The other news item states about appointment of a person by the Jindal after retirement. In the said news item, it has been stated that during the tenure of said person in the government, two coal blocks were allocated to the complainant. On perusal of the news item, it seems that the version of other organizations have been taken but not of the complainant.

The counsel for the respondent submits that the versions were belatedly sent to the respondent and therefore it was not published. It has also been submitted on behalf of the respondent that such news was published in other newspapers but the complainant has mala fide filed complaint against the respondent only.

The Inquiry Committee has bestowed its consideration to the rival submissions and finds substance in the grievance of the complainant. The Inquiry Committee is of the opinion that the respondent newspaper has breached basic journalistic ethics. The contents of the news do not justify the headline. Further the respondent did not give opportunity to the complainant to give its view point.

The Inquiry Committee, accordingly, **Censures** the respondent newspaper and directs that the clarification made by the complainant by various letters be published after editing, if necessary. The Inquiry Committee recommends for disposal of the complaint in the aforesaid terms. A copy of this may be forwarded to DAVP, RNI, Delhi and I&PR Department Government of Maharashtra for appropriate action.

The Inquiry Committee makes it clear that it is not expressing any opinion in regard to the truthfulness or otherwise of the contents of the news.

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**, DNA. A copy of decision forwarded to DAVP, RNI and I&PR Department, Government of Maharashtra for appropriate action.

Press Council of India

Sl. No. 31

F.No. 14/608/15-16-PCI

Shri K.K. Balaram
Kerala Pranth Saha Sangh Chalak of RSS,
' Vrindavan', Kannur - 670001

Shri E.P.Jayarajan
The Printer and Publisher,
The Deshabhimani
AKG Memorial Printing & Publishing Co.
(P) Ltd. Pallikunnu, Kannur

Shri V.V. Dekshinamoorthy,
The Chief Editor
The Deshabhimani
AKG Memorial Printing & Publishing
Co.(P) Ltd. Pallikunnu, Kannur

Draft Adjudication
17.11.2016

This complaint dated 29.02.2016 has been filed by Shri K.K. Balaram, Kerala Pranth Saha Sangh Chalak of RSS, ' Vrindavan', Kannur, against the Printer/Publisher and the Chief Editor of The Deshabhimani Daily newspaper for publishing/reporting a false and fabricated news item on its issue dated 02.01.2016 captioned, "**Family Benefit Fund Misappropriated by Leaders, R.S.S. In Total Confusion**"- reported by own Correspondent. The Complainant submitted that he is a practicing advocate and the Pranth Saha Sangh Chalak of RSS, in Kerala State. He claims that the impugned news item is completely false and has been published with an ill-motive of tarnishing the image of R.S.S. and its workers in Kannur as well as to project R.S.S. in bad light in public to mar its image.

The impugned news item, mentions about an enquiry conducted and report prepared by "Swadeshi Science Movement" and on the basis of aforesaid enquiry report, the news item in question, reported about the misappropriation of funds by R.S.S. Workers/staff, which was collected from various parts of the world since 2002 under different causes, from industrialists and big business houses. One of such funds that was collected specifically for helping Kannur District, is missing and even the funds collected to help the R.S.S. Martyrs is misappropriated. The news item asserts that the R.S.S. Leaders of Kannur District are behaving like unleashed horses and indulge in atrocities against people who raise their voice against the corrupt/malpractices going on in the Sangh in Kannur District. It has been reported in the news item, that the funds entrusted for education were also misappropriated by leaders and police and media are involved in this nexus of misappropriation of funds.

According to the Complainant, R.S.S being a socio-cultural organisation pools its funds during Gurudakshina, which is generally donated by its Swayam Sevaks (Volunteers) and they never accept donations/funds from industrialists, as such the allegations made against the Sangh by the respondent newspaper is baseless and inappropriate. The allegation made against RSS for misappropriation of funds by their own members is totally baseless and defamatory.

The complainants further submitted that respondent no.1, is a newspaper supporting the ideology of CPI(M) and the newspaper is controlled by the CPI(M) state leadership, thus the newspaper is continuously writing concocted news/story about

R.S.S./BJP with an malafide intention to defame the organisation/Party in general. The complainant submitted, that a communication dated 25.01.2016 was sent to the Editor of the respondent newspaper asking for publishing the clarification in connection with the impugned news but no action was taken by the respondent. Hence the complainant has approached this Council to take appropriate measure against respondent for committing the act of professional misconduct and breaching of journalistic ethics.

No Reply

A Show Cause Notice dated 29.03.2016 was issued to the editor of the respondent newspaper for filing their written statement, however, no reply has been received from the respondent newspaper.

Report of the Inquiry Committee

Following an adjournment on 8.8.2016, the matter again came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi. Shri K.K. Balram, the complainant appeared in person. Shri Jishnu M.L., Advocate appeared for the respondent.

The counsel for the respondent prays for time on the ground that his client has not given him a copy of the complaint. This is an internal matter between the counsel and the client and the Inquiry Committee has nothing to do with that. It is worth mentioning here that the matter was taken up on 8.8.2016 and at the request of respondent, the case was adjourned. The Inquiry Committee accordingly rejects the prayer of the respondent for adjournment.

It is the assertion of the complainant that news of misappropriation of funds by leaders of RSS is absolutely false. In the absence of any reply filed by respondents, the Inquiry Committee accepts the assertions of the complainant. Not only this, the respondent newspaper has also not published the clarification sent by the complainant. In the facts and circumstances of the case, the inquiry Committee directs the respondent newspaper to publish the clarification given by the complainant newspaper with same prominence as the original news within two weeks from today. Further, the Inquiry Committee would like to **Caution** 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 **Caution** the newspaper to be careful in future.

PRESS COUNCIL OF INDIA

Sl.No. 32

F.No.14/507/15-16-PCI

Complainant

Vs.

Respondent

Shri K.K.Balaram,
Kerala Pranth Sah-Sangh Chalak of RSS,
Vrindavan, Kannur

The Editor,
Deshabhimani
Kannur

Adjudication

17.11.2016

Case Summary

This undated complaint received in the Council on 30.12.2015 has been filed by Shri K.K.Balaram, against the editor, the Deshabhimani, Malayalam newspaper for allegedly publishing false and objectionable news item in connection with RSS in its issue dated 21.11.2015 under the caption "**Wants confrontation, not peace. Tells Mohan Bhagavat-by Satheesh Gopi**" (English translation of the news item)

Objectionable Contents of the impugned news are "*Confrontation should be faced by confrontation and not by peace is what RSS Sarsangchhalak Mohan Bagavath told. This call was made by Mohan Bagavath with the agenda of saffronising Kerala in the two days' Samanvaya Bhaitak held in Kannur. The mistake on the part of Kerala RSS is that they are following the path of peace offered by authorities during the time of confrontation-Bagavath said. Panel of expert lawyers for conducting cases should be prepared. To control that, committees should be formed locally. Required fund will be provided from Nagpur. Plans to organize riots in the state and to create communal problems was also formulated in Samanvaya Bhaitak. Activities should be concentrated in sea shore and tribal area. For this purpose, each area will be given three crore rupees. RSS is presently running single teacher schools in Tribal areas. At present no food is provided for students in this area. RSS will provide finance to meet the expenses of food including the wages of its cook. These activities should be carried out with the veil of retired teachers and Government servants. Active Sangh workers should not come in the forefront. People belonging to other religions are having business places and other establishment in the vicinity of Guruvayoor, Shabarimala and Sree Padmanabha Swami Temple, Trivandrum. To misguide Hindus they are using Hindu names for these concerns. At any cost this should be finished. Temple vicinities should be under the control of Hindus. Sangh workers should have prominent role in that. To implement this we have to win over workers of temple initially. The main hurdle for RSS in Kerala is the work of Marxist Party. To deal them, social media should be used properly. Janmashtami and like celebrations undertaken by CPM is the sign of future threat. Acceptability in Kerala which is proud of its literacy will help the smooth flourishing of RSS in whole of India – enlightened Bhagavat. The Samanvaya Bhaitak at Sreekrishna Auditorium, Kadalayi, Kannur was conducted very secretly. Even pro RSS media were not admitted in it. Bhagvat returned on Thursday*",

The complainant submitted that he is a practicing advocate and office bearer of RSS. RSS Sarsangh Chalak came to Kannur to participate in the training camp of RSS workers but there was no such declarations given by him as alleged in the report. The complainant alleged that the purpose of giving such a news item was to cause disharmony among the people of the state and to provoke the different communities especially minority communities against the RSS, its workers and it's sister organizations. In fact, no such instruction or direction as stated in the news item was given by Shri Mohan Bhagavath to the RSS workers. A totally false news was published by the respondent newspaper which habitual of reporting such misleading news against the RSS/BJP organizations. According to the complainant, the respondent newspaper is a

newspaper supporting the ideology of Communist Marxist Party CPI(M) and the newspaper is controlled by the CP(I)M State Leadership. But the respondent published the false news without contacting any of the office bearers of RSS to ascertain the correctness of the news item. In this way the respondent has committed professional misconduct.

The complainant vide letter dated 23.11.2015 drew the attention of the respondent and requested to undo the wrong committed by them but received no response. He added that the very silence of the respondent indicates that they are unethical and has acted against the standard of journalistic ethics.

No Written Statement

A Show Cause Notice was again issued to the respondent editor, 'Deshabhimani', Kanur on 25.7.2016, but received no response.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi.

The counsel for the respondent prays for time. Complainant is present in person. In the facts and circumstances of the case, the Inquiry Committee is not inclined to adjourn the matter.

The Inquiry Committee has perused the complaint and the connected papers. It is the allegation of the complainant that certain statements have been published in the respondent newspaper stating those to be of the RSS for Sangh-Chalak, Mr. Mohan Bhagwat. It is the allegation of the complainant that no such statement was made by the RSS Sangh Sanchalak and therefore the impugned news item is absolutely false. In the absence of any reply from the respondent newspaper, the Inquiry Committee is inclined to accept the assertion of the complainant. Not only this, the respondent newspaper has not published the clarification made by the complainant. In the facts and circumstances of the case, the Inquiry Committee is of the opinion that the respondent newspaper deserves to be censured. The Inquiry Committee, accordingly, recommends for **Censure** of the newspaper with further directions that the clarification made by the complainant be published in the newspaper with the same prominence.

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 decided to **Censure** the respondent newspaper, 'Deshabhimani' with aforesaid directions. A copy of the adjudication be sent to the DAVP, RNI and Director, I&PRD, Kerala for necessary action as they deem fit.

Press Council of India

Sl. No. 33

F.No. 14/322/15-16-PCI

Complainant

Vs.

Respondent

Shri Sunnjoy Manohar Dahake,
Publisher/Editor,
Pune Mirror,
Kothrud Mitra Newspapers Pvt. Ltd.
Pune

The Editor,
Pune Mirror,
Supplement of Times of India,
Bennett, Coleman & Co.Ltd.
(BCCL), Pune, Maharashtra

The Press Registrar,
Registrar of Newspapers for India,
New Delhi

The District Magistrate,
Pune Collector Office, Pune

Draft Adjudication

17.11.2016

Case Summary

This complaint dated 24.9.2015 has been filed by Shri Sunnjoy Manohar Dahake, Publisher/Editor, Pune Mirror against Bennett Coleman and Co. Ltd. for illegally publishing daily newspaper under the title PUNE MIRROR for four years at Pune. The complainant submitted that the title and ownership rights of Pune Mirror rests with Kothrud Mitra Newspapers Pvt. Ltd., Pune since June 2010. The complainant submitted that the Title was earlier verified by the RNI in the name of BCCL on 24.1.2008 but due to non completion of registration process within the stipulated time frame of two years, the Title was automatically de-blocked by the RNI on 25.1.2010. The complainant submitted that Kothrud Mitra Newspapers Pvt. Ltd got the ownership rights of Pune Mirror title on 28.5.2010. The complainant also submitted that the BCCL published the newspaper illegally which was clearly in serious violation of their ownership and proprietary rights. The complainant requested the Council to take appropriate and strict legal action against Bennett Coleman and Co.Ltd.,(BCCL) an declare their publication during the period as illegal.

A Notice for Comments sent to the respondent Editor, Pune Mirror, Maharashtra, the RNI, New Delhi, and the District Magistrate, Pune on 14.1.2016.

Reply from the RNI, New Delhi

In response, Shri Ratan Prakash, Deputy Press Registrar, RNI, New Delhi vide letter dated 28.1.2016 submitted that the title 'Pune Mirror' was verified in favour of Bennet, Coleman & Co. Ltd. on 24.1.2008 but was de-blocked on 25.1.2010 as the title was not registered within stipulated time period. He further submitted that the title 'Pune Mirror' was verified in favour of 'Kothrud Mitra Newspapers Pvt. Ltd.' on 25.5.2010 and registered vide MAHENG/2010/34712 with RNI. Later, the title 'Pune Times Mirror' was verified in favour of Bennet, Coleman & Co. Ltd. on 16.1.2014 and registered vide MAHENG/2014/55530.

Response from the SDM, Pune

In connection with Notice dated 14.1.2016, the respondent SDM, Pune vide letter dated 4.6.2016 informed that the Sub Divisional Magistrate Haveli Sub Division Pune has been asked to report in the matter and to send the report directly to the Council vide order dated 19.3.2016, but the report is still awaited.

A copy of the comments received from the RNI, New Delhi was forwarded to the complainant 'Pune Mirror' on 16.2.2016 and 24.6.2016 for comments/information but received no response.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi. The complainant appeared in person. There was no appearance on behalf of the respondents.

It is the assertion of the complainant that Pune Mirror was verified in his favour, as back as on 25.5.2010 but even thereafter the Bennett Coleman & Co. Ltd had published the newspaper in the said name for about four years.

Despite service of notice, no reply has been filled on behalf of the Bennett Coleman & Co. Ltd. However, the RNI has filed its reply in which it has been stated that the title "Pune Mirror" was verified in favour of the complainant and also registered. It is the submission of the complainant that compensation be granted to him for illegal publication of Pune Mirror by the Bennett Coleman & Co. Ltd. In the facts and circumstances of the case, the Inquiry Committee is of the opinion that such a relief cannot be granted by the Council and therefore, the Inquiry Committee recommends that the matter be placed before the District Magistrate, Pune for taking such action, as permissible in law. The Inquiry Committee further gives liberty to the complainant to take recourse to such other remedy including the remedy to file civil suit for appropriate relief. The Inquiry Committee recommends for disposal of the complaint in the aforesaid term.

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 term.

Press Council of India

Sl. No. 34

File No. 14/234/14-15-PCI

Complainant

Vs.

Respondent

Shri Ambrish Gor,
Senior Superintendent of Jail,
Central Jail, Naini, Allahabad

The Editor,
Dainik Jagran Press,
(Lucknow Issue)
Lucknow

Adjudication
Dated 17.11.2016

Case Summary

This complaint dated 5.5.2014 has been filed by Shri Ambrish Gaur, Senior Superintendent of Jail, Naini, Allahabad against the Editor, Dainik Jagran (Lucknow issue) for allegedly publishing false and misleading news under the caption “जेल अधिकारी की मौत, मुख्तार की रिहाई अटकी” in its issue dated 3.5.2014.

It was reported in the impugned news item that Shri Mokhtar Ansari, a candidate from Sadar, filed an appeal in Delhi court for his release from jail for conducting rally and contacting public during elections from May 1 to May 10, 2010. The court had ordered to release him on custody parole, although 11 cases are pending in court against him. The jail administration is facing complication in the matter and has sought legal opinion. While the Senior Superintendent of Jail, Agra B.R. Verma was deeply engaged in this matter, he suffered heart attack and was admitted in hospital for treatment. The reason behind the heart-attack was found to be the stress on account of the release of Shri Ansari.

The complainant submitted that the Senior Jail Superintendent, Agra fell ill suddenly on the said day and was hospitalized for treatment. But the respondent published the news of his death and consequently his relatives, friends and working staff of the jail were shocked to read this news. Further, the ailing officer himself and the doctor had to face many difficulties during his medical treatment. The alleged news of death due to pending release was false as no such incident had happened.

The complainant vide letter dated 5.5.2014 drew the attention of the respondent for publishing false and misleading report and requested to publish rejoinder but received no response. The complainant submitted that the impugned publication was false and misleading. He requested to take suitable action against the respondent.

No Written Statement

A Show-Cause Notice dated 19.6.2014 was issued to the respondent editor, Dainik Jagran, Lucknow followed by a reminder on 28.9.2015, but received no response.

Report of the Inquiry Committee

Following an adjournment on 8.6.2016, the matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi.

When the matter was taken up on 8.6.2016, a letter seeking withdrawal of the complaint was produced by the respondent. By an Order dated 8.7.2016, the Council

directed for forwarding the said letter to the complainant, seeking his comments. Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee takes not of the application filed by the complainant for withdrawal of the complaint and accedes to his request. It, accordingly, recommends for dismissal of the complaint.

Held

The Press Council on consideration of the records of the case and Reports of the Inquiry Committee accepts reasons findings and adopts the Report of the Committee and decided to Dismiss the complaint.

Press Council of India

Sl. No. 35

F.No.14/102/14-15-PCI

Suo-motu action on reference received from Election Commission of India against “Dainik Jagran” for publication of alleged ‘Paid News’ during General Elections to Legislative Assembly of Rajasthan-2013 in the garb of news.

Adjudication
Dated 17.11.2016

Case Summary

Shri Rahul Sharma, Under Secretary, Election Commission of India vide his letter dated 26.3.2014 forwarded suspected case of ‘Paid News’ against the newspaper “Dainik Jagran” for publishing news item captioned “भा. जा. पा. प्रत्याशी मास्टर आज़ाद सिंह की पदयात्रा” and “नाग्लोई जाट मेरा परिवार है: मनोज कुमार शौकीन” in its respective issue dated 25.11.2013 and 26.11.2013 and the Cost of said news items as per DIPR/DAVP rates was accounted at Rs. 7,643 and Rs. 10,710 respectively.

No Written Statement

A Show-cause Notice was issued to the respondent-editor, Dainik Jagran, Meerut on 25.6.2014 followed by a Time Bound Reminder dated 13.10.2014 but received no response was received.

Order of Inquiry Committee dated 8.6.2016

The matter initially came up for hearing on 8.6.2016.

Taking nore of the fact that impugned news clippings furnished by the Election Commissioner of India were not legible, the Inquiry Committee directed the Election Commission of India to furnish legible copy of the news.

Report of the Inquiry Committee

Following an adjournment on 8.6.2016, the matter again came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi.

Despite service of the said order the Election Commission has not chosen to place on record legible copy of the alleged paid news. In the absence thereof the Inquiry Committee finds it difficult in going into the allegations of paid news. 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 with aforesaid observations.

Press Council of India

Sl.No. 36

F.No.14/889/14-15-PCI

Suo-motu action on reference received from Election Commission of India against “Rahat Times” for allegedly publishing ‘Paid News’ during General Elections to the Lok Sabha-2014 in the garb of news.

Adjudication
Dated 17.11.2016

Shri S.K. Das, Under Secretary, Election Commission of India vide his letter dated 20.1.2015 has forwarded references of Paid News (in case of print media only) reported during General Elections-2014 in Uttar Pradesh which was sent by the Chief Electoral Officer, Uttar Pradesh, Lucknow for further necessary action. The Assistant Electoral Officer, Jalaun, Orai vide letter dated 17.12.2014 forwarded news item of paid news published in “Rahat Times” as per details below:

S.No.	News Item/Advertisement	Dated	Amount
1	क्षेत्रीय जनता का कांग्रेस प्रत्याक्षी को मिल रहा अपार स्नेह	13.4.2014	Rs.5,119/-

It was reported in the impugned news item that the Congress candidate from Jalaun Lok Sabha seat, Shri Vijay Choudhary during his election campaign in various villages met the voters and appealed for votes. It was further reported that the position of the Shri Choudhary is becoming strong day-by-day and he is getting full affection and support of the people. Shri Choudhary convened various public-meetings and said that the Congress is the only party, which has carried development work in the area.

Show-cause Notice was issued to the respondent-editor, Rahat Times on 19.3.2015.

Written Statement

The Editor, Rahat Times vide his written statement dated 31.3.2015 denied the allegations levelled against his newspaper and submitted that the impugned news item in question was published on the basis of facts gathered by their correspondent and they published the same without any comments on their behalf so as to not to favour any party. The respondent also submitted that the integrity of the correspondent is beyond doubt as the news was published without taking any money from the candidate or the party. According to the respondent, it is clear from the picture that the candidate is receiving support of public including eminent personalities whose name and profession have been highlighted so as to substantiate the news is authentic. The respondent further stated that it is unfortunate that the ECI term it as “Paid News”. He submitted that his newspaper’s main aim is to collect information and publish news report without any favour/benefit of any person or party. According to him, the complaint is baseless as they adhere to Norms laid by the Press Council.

A final reminder dated 4.11.2015 was issued to the Election Commission of India for details of confirmed Paid News Cases of General Elections to Lok Sabha-2014 but no response was received.

Report of the Inquiry Committee

Following an adjournment dated 8.6.2016, the matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. There was no appearance either on behalf of the ECI or on behalf of the respondent, despite service of notice. The Inquiry Committee notes that this proceeding was initiated on the basis of communication dated 20.1.2015 received from Shri S.K. Das, Under Secretary, Election Commission of India, New Delhi forwarded the report of confirmed case of paid news against the newspaper 'Rahat Times' in its issue dated 13.4.2014. This communication appears to have been based on the report of the Media Certification & Monitoring Committee (MCMC). It seems that the MCMC had assessed the value of these news items as if they were paid news, calculated an amount likely to be paid for this space and added it to the expenditure incurred by a candidate. The Inquiry Committee is of the opinion that the Election Commission of India and its authorities deserved to be given great respect and has examined the facts of the case bearing this in mind.

The Inquiry Committee is of the view that paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form, The Inquiry Committee is conscious of the fact that paid news is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility is placed on MCMCs and election authorities to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. However, the Inquiry Committee is generally of the view that merely because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.

The Inquiry Committee is of the view that the State election authorities have little appreciation of the nuances of journalism and therefore fell into grave error while making comment on what is news and what may be paid news. The state electoral authorities before making public their findings of paid news ought to have applied themselves judiciously to the issue at hand especially because adverse findings would injure the reputations of newspapers/periodicals. From the material placed before us in this case, it is clear that the state electoral authorities have failed and damaged the credibility of the newspaper without proper justification.

In the opinion of the Inquiry Committee the MCMC before holding any article/news as paid news would be well advised to assign brief reason for its conclusion.

The Inquiry Committee has perused the complaint and other connected papers in the light of the aforesaid principles. The Inquiry Committee is of the opinion that the case in hand does not fall within mischief of paid news as laid down by the Council.

The Inquiry committee, accordingly, recommends to the Council 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 decided to **Dismiss** the complaint.

PRESS COUNCIL OF INDIA

Sl. No. 37

File No.14/884/14-15-PCI

Suo-motu action on reference received from Election Commission of India against the Editor, Janta Union for publication of an alleged "Paid News" during General Elections 2014 in the garb of news

Adjudication
Dated 17.11.2016

Case Summary

Shri S.K. Das, Under Secretary, Election Commission of India, New Delhi vide letter dated 20.1.2015 forwarded a suspected case of "Paid News" against the newspaper "Janta Union" for publishing a news item captioned "***BSP Pratyashi ne party ki uplabdhiyon ko ginakar mange vote***" in its issue dated 10.4.2014.

It was reported in the news item that Shri Khabri, Candidate of BSP (Bahujan Samaj Party) appealed to people of all communities to cast their vote for BSP on 30.4.2014. It is further stated in the news item that various campaigning teams of BSP are meeting communities in the area. Rigorous campaigning by BSP has given sleepless nights to its opponents. Shri Khabri is trying to cover all villages in Election Campaign.

A Show Cause Notice was issued to Editor, Janta Union, Jhansi, U.P. on 19.3.2015

Written Statement:

In response to the Council's Show Cause Notice dated 19.3.2015, the respondent ex-editor, Janta Union, Jhansi vide his letter dated 10.4.2015 submitted his written statement. The respondent denied the allegations of paid news. While informing that they have not received any kind of cash for publication of said news item, he also stated that he has transferred the ownership of the newspaper in the name of Smt. Chandni Kushwaha and Shri Nathuram Kushwaha who are Printer and Publisher of the newspaper. The respondent requested the Council to take a lenient view in the matter.

Report of the Inquiry Committee

Following an adjournment on 8.6.2016, the matter again came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi.

The Inquiry Committee has perused the complaint and connected papers and has also heard the representatives of the respondent newspaper. On perusal of the impugned news item the Inquiry Committee find that two third of the impugned news item contains the names of the voters on caste basis and supporters of the candidate of a particular political party. The tenor and manner of presentation of the news clearly shows that it is paid news.

The Inquiry Committee accordingly uphold the complaint and **Censures** the respondent newspaper. A copy of this order be forwarded to the DAVP, Information and Public Relations Department, UP, District Magistrate, Jhansi for taking appropriate action.

After the Inquiry Committee has taken a view, the respondent has filed an application for rehearing. He was reheard; the Inquiry Committee does not find any ground to take a different view.

Held

The Press Council on consideration of the 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 Janta Union.

PRESS COUNCIL OF INDIA

Sl. No. 38

File No.14/103/15-16-PCI

Shri Shamim Uddin,
Additional Secretary,
Government of Madhya Pradesh,
Department of Technical Education and Skill
Development, Bhopal

The Editor,
Nav Dunia, Bhopal.

Adjudication
Dated 17.11.2016

Case Summary

This complaint dated 2.6.2015 has been filed by Shri Shamim Uddin, Additional Secretary, Government of Madhya Pradesh, Department of Technical Education and Skill Development, Bhopal against the Editor, Nav Dunia, Bhopal alleging publication of false, fabricated and derogatory news item captioned “मंत्री, राज्यपाल पर आरोप तो अफसर बेकसूर कैसे” in its issue dated 24.2.2015. It is reported in the news item that the complainant was posted as Secretary during VYAPAM scandal and purchased land jointly with Mr. Pankaj Trivedi to open a college. It is further reported in the news item that neither the department took any action against the complainant nor the Special Task Force inquired in this regard and when the paper contacted Shri Shamim Uddin (complainant) over mobile and the moment he heard the name of VYAPAM, he disconnected the phone.

The complainant further submitted that the allegations levelled in the impugned news item are false, baseless and have no substance. He wrote a letter dated 20.4.2015 to the respondent and drew his attention towards the impugned news item and asked him to provide documentary evidence in support of above three statements reported in the impugned news and also requested the respondent to publish denial and regret, but received no response.

No Written Statement:

A Show Cause Notice was issued to the respondent newspaper, Nav Dunia on 24.6.2015 but despite a Time Bound Reminder dated 20.1.2016 no written statement has been filed by it.

Report of the Inquiry Committee

Following an adjournment on 9.8.2016, the matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi.

The Inquiry Committee has perused the complaint and all other connected papers and is of the opinion that the respondent newspaper, while publishing the impugned news item, has not breached any journalistic ethics so as to call for action by the Council. The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

Held

The Press Council on consideration of the 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. 39-40

F.No.14/1028&1050/14-15-PCI

Shri V.S.Raju,
Asvini Agro Exports,
Andhra Pradesh

The Editor,
Surya Daily,
Andhra Pradesh.

The Editor,
Akshara Spandhana,
Andhra Pradesh

Adjudication
Dated 17.11.2016

Case Summary

Shri V.S. Raju, Administrative Manager, Asvini Agro Exports, Andhra Pradesh filed an undated complaint, received in the Secretariat of the Council on 23.3.2015 against the editors, "Surya Daily" and "Akshara Spandhana, Andhra Pradesh alleging publication of false, baseless and defamatory news item alongwith photograph about a slaughtering house captioned "**When the darkness comes..... the missing cattle appear in animal slaughter**" in their issue dated 28.2.2015 with ulterior motive.

The complainant submitted that he is running a slaughter house under the name and style of M/s. Asvini Agro Exports Pvt.Ltd., after obtaining valid permission from the authorities concerned, and had attained good reputation in the society as well as in the business circle in accordance with the norms issued by the concerned departments without any deviation and complaint from any one. The complainant's main objections vis-à-vis impugned news item are:

Objection:

1. The publisher published a photo of hacking an animal near a temple in a remote village against the principals of Halal India.

The complainant submitted that the respondent published false facts with impugned photograph taken from internet.

2. The publisher have mentioned the name of one Shri Malliboyina Rangarao, whose version has been taken as the basis of news

The complainant submitted that there is no person by name Shri Malliboyina Rangarao in and around Polasanapalli village and Asvini Agro Exports and its slaughtering house is far away from near by village.

3. The Publisher have mentioned in their newspaper that Asvini Agro Exports discharges waste material out side its premises thereby causing serious health hazard.

The complainant submitted that they never run the waste material from out of slaughter house's compound wall.

4. The Publishers further alleged that so many complaints were given by S/Shri Dhara Sambayya, Anjaneyulu and Ramarao.

The complainant submitted that these persons are not there in the vicinity of Vattigudipadu village within the jurisdiction of Agiripalli police station(SHO) limits. He has further stated that there is no residential area and structure whatsoever upto 3 KMs from their slaughter house.

The complainant further added that he has been informed by his unit in-charge that prior to publication of the impugned news article one person came to their unit and introduced himself as correspondent of Surya Daily and asked them to give him Rs.1,50,000/- as an unofficial donation to their press. He warned them, if this amount is not paid to them they would scandalize this unit. Thereafter, the respondent published the untrue, false and objectionable news solely aimed at him because there is no other slaughter house in and around the locality. The complainant vide letter dated 13.5.2015 drew the attention of the respondent towards the impugned news item and asked him to publish denial and regret, but received no response. The complainant requested the Council to take action against the respondent.

No Written Statement

Show Cause Notices were issued to the respondent editors, 'Akshara Spandana' and 'Surya Daily', Andhra Pradesh on 17.11.2015 followed by a Time Bound Reminder on 22.1.2016 but received no response.

Report of the Inquiry Committee

Following an adjournment on 10.8.2016, the matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and is not inclined to proceed in the matter any further. It, accordingly, recommends for dismissal of the complaint.

Held

The Press Council on consideration of the 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.40

F.No.14/49/15-16-PCI

Complainant

Shri J.T. Karamchandani,
Through Advocate
Ulhasnagar, Maharashtra.

Respondent

The Editor,
Crime Aur Kalam,
Ulhasnagar.

Adjudication

Dated 17.11.2016

Case Summary

This complaint dated 27.4.2015 has been filed by Shri J.T. Karamchandani, Ulhasnagar against the editor, Crime Aur Kalam, Ulhasnagar alleging publication of a series of false, baseless and defamatory news item along with his photographs in its various issues which read as follows:

S.No.	Caption	Dated
1.	बिग बाज़ार का टेक्स चोर जेठानन्द ताराचंद ! चोरी है इसका पेशा, क्या करें ये दिखता ही है चोर जैसा ! टेक्स चोर जेठानन्द ताराचंद के कितने आका ? करोड़ों की टेक्स चोरी का पैसा सभी आकाओं के पास !!	19-25 जनवरी, 2015
2.	माया होटल का टेक्स चोर जेठानन्द ताराचंद !! फर्नीचर बाज़ार का टेक्स चोर जेठानन्द ताराचंद	2-8 फ़रवरी, 2015
3.	उपायुक्त लेंगरेकर और जेठानन्द ताराचंद मिलकर लगा रहे हैं मानपा को करोड़ों का चुना !	20-26 अप्रैल, 2015
4.	उपायुक्त लेंगरेकर टेक्स चोर जेठानन्द ताराचंद पर कार्यवाही करो और करोड़ों की प्रोपर्टियों की मोज माप करो !!	4-10 मई, 2015

It is reported in the impugned news items that the complainant along with one Deputy Commissioner are evading tax of crores. It is also reported in the impugned news articles that the complainant is a big tax evader and no one in the department can take any action against the complainant. It is reported in the impugned news articles that the Municipal Corporation appointed the complainant for the purpose of theft and a big amount of his corruption is distributed among the higher authorities.

Denying the allegations levelled in the impugned news items the complainant submitted that the respondent used vulgar and abusive words and also criticized his physical appearance in the articles. The complainant also submitted that the respondent has no right to write anything against anybody without proper verification of facts and evidence. The complainant submitted that the sole motive of the respondent regarding publishing such news items is just to defame him in the eyes of the public and extort money from him. The complainant vide letter dated 29.6.2015 drew the attention of the respondent towards the impugned publication with a request to publish unconditional apology but received no response. The complainant requested the Council to take action against the respondent.

A Show Cause Notice has been issued to the respondent editor, Crime Aur Kalam on 30.6.2016.

Written statement

In response to the Council Show Cause Notice dated 30.6.2016 the respondent editor, Crime Aur Kalam, Ulhasnagar vide written statement dated 22.7.2016 submitted that the complaint is baseless and denied the allegations levelled in the complaint. The respondent submitted that they have published each and every news item with proper verification. According to the respondent the complainant misuses his position and earned crores of rupees through corruption, which is tax payers amount.

A copy of the written statement was forwarded to the complainant on 12.8.2016 for information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. Shri Sanjay Pandey appeared for the complainant. There was no appearance on behalf of the respondent.

The Inquiry Committee has heard the complainant and has perused the record. The respondent, in his letter dated 30.9.2016, has showed his inability to appear before the Inquiry Committee and has expected that the meeting be held at Mumbai. The Inquiry Committee has considered his prayer, and finding no merit, rejects the same. The Inquiry Committee has perused the complaint, the written statement as also the impugned news item. The Inquiry Committee is of the opinion that the language employed in the news item is not befitting a civilised society. Such use of language cannot be condoned. The Inquiry Committee, accordingly, **Censures** the respondent newspaper, Crime Aur Kalam, Ulhasnagar. A copy of this order be forwarded to the DAVP and Director General, Department of Public Relations, Maharashtra and the District Magistrate, Thane, for taking such action as are permissible in law.

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 decided to Censure the respondent. A copy of the order be forwarded to DAVP and Director General, Department of Public Relations, Maharashtra and the District Magistrate, Thane, for taking such action as permissible in law.

PRESS COUNCIL OF INDIA

Sl.No. 41

F.No.14/38/16-17-PCI

Complainant

Shri Uttam Kumar Pal,
Freelance Photo Journalist,
Rourkela, Odisha.

Respondent

The Editor,
Samaja,
(Rourkela Edition)
Bhubaneswar.

Adjudication

Dated 17.11.2016

Case Summary:

This complaint dated 28.4.2016 has been filed by Shri Uttam Kumar Pal, Freelance Photo Journalist, Rourkela, Odisha against the editor, Samaja, for publication of a photograph taken by him without his prior consent, and due credit and that too after editing the same. According to the complainant the photograph has been cropped in such a way that the picture has lost its sanctity.

The complainant vide letter dated 19.4.2016 drew the attention of the editor, Samaja in this regard and requested to take action against the person responsible for it. To prove his stand, the complainant enclosed a copy of the Times of India's edition wherein the same photograph was published giving him due credit. He has requested the Council to take action in the matter.

A Show Cause Notice was issued to the respondent editor, Samaja, on 30.5.2016.

Written statement

In response to the Council's Show Cause Notice the respondent, working editor, The Samaja vide his written statement date 28.6.2016 submitted that the impugned photograph of a "Potter Crosses the Bridge of Koel River" claimed by the complainant to have been clicked by him is false and incorrect. He informed that one Shri Sudarshan Jena, Photographer of The Samaja and some of his personal associates (other photographers) at Rourkela have created a Photo Bank. They click the photographs from the spot in different activities and load the same into the photo bank. Photographs of the photobank are used by its members. The impugned photograph was sent by Sri Sudarshan Jena using the photo bank and the same has been published in their newspaper. The respondent submitted that the allegations levelled by the complainant is not only baseless but with vested interest and some ulterior motive. The fact is that the complainant had approached several times their Cuttack & Rourkela officials to get a chance for contributing photographs to the Samaja without any remuneration or credit line. As per complainant's request and taking a lenient view with lots of sympathy to him as an amateur photographer, verbally allowed him to give photographs to the newspaper. After few publications of the complainant's photographs he requested to publish his photographs with credit lines and continued to send photographs and so many selected photographs were carried in the esteemed daily. The respondent submitted that the deserving and quality photographs were being given in his credit line. After some days the complainant submitted a Bill to them which was not possible for them to release on their part because complainant is neither their recognized photographer nor had any contract with him as our papers authorized photographer'. However, they gave him a proposal to continue the above said business by executing an agreement with them on certain terms & conditions, but the complainant refused the conditions and became violent and misbehaved with its staff by threatening to teach

them a lesson through Press Council of India and also stopped sending photographs to them.

The respondent submitted that Shri Sudarshan Jena who is their empanelled photographer sent the impugned photograph for publication and accordingly it was published and there is no malpractice or any malafide attitude in publishing the photograph.

A copy of the written statement was forwarded to the complainant on 28.7.2016 for information/counter comments, if any.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. Shri Jaichand appeared for the complainant. Shri Kishore Chand Dwivedi, Sub-Editor, The Samaja, New Delhi appeared for the respondent.

It is the allegation of the complainant that the photograph taken by him has been published in the respondent newspaper without giving him the credit and without his consent. The respondent is represented by Shri Kishore Dwivedi, Sub-Editor, the Samaja posted at Delhi. He states that the respondent newspaper shall give credit to the complainant for the photograph in the forthcoming issue of the newspaper, and further pay a sum of Rs.5,000/- to the complainant as a remuneration for the said photograph. In view of the aforesaid undertaking, the Inquiry Committee is not inclined to proceed in the matter any further and directs that credit be given for the said photograph to the complainant, and a sum of Rs.5,000/- be paid to him within four weeks.

The Inquiry Committee recommends for disposal of the complaint in the aforesaid term.

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 term.

Press Council of India

Sl. No. 42

F.NO. 14/25/16-17-PCI

Complainant	Respondent
The General Manager, Kothari Medical and Research Institute, Kothari Hospital Marg, Bangla Nagar, Bikaner.	1. The Managing Director, DainikBhaskar, Bhopal. 2. The Chief Editor, DainikBhaskar, Jaipur, Rajasthan.

Adjudication
Dated 17.11.2016

Case Summary

This complaint dated 31.03.2016 has been filed by Shri Dinesh Acharya, General Manager, Kothari Medical and Research Institute, Bikaner against the Dainik Bhaskar, Jaipur for allegedly publishing false and fabricated news at the front page of its issue dated 13.01.2016 captioned "***Surgery Pathriki, nasey kidney ki kat di***". On the basis of statement made by the patient, Shri Meghwal it was reported that after performing surgery for nine hours, the patient who had not been keeping well post surgery came to know that his kidney veins have been cut during the surgery. According to the complainant the Chief Editor of Dainik Bhaskar had published a concocted story of the patient Sh. Poonam Chand @ Punit Meghwal. The complainant stated the said false news had not only badly affected the reputation of Dr. J.P. Swami but also had showed their hospital in bad light. According to the complainant, Dainik Bhaskar, Jaipur, has deliberately defamed their institution and their doctors, which cannot be compensated easily. The complainant submitted a patient namely Shri Poonam Chand @ Punit Meghwal S/o Sh. Mole Ram Meghwal was admitted with a recurrent abdomen pain for last five years and after examining his medical condition, Rd. J.P. Swami, Urologist, advised the patient about the treatment plan of ureteroscopy. After following all the pre-surgery medical formalities the patient was operated and was discharged from the hospital on 07.01.2015 in satisfactory general condition with DJ stent and nephrostomy tube and was advised to visit the hospital after five days. All the post operative procedure was followed properly, however, as per the complainant, the patient himself requested, and for his stent removal after three months, he was referred to the higher centre for further management on 29.03.2015. In this respect, the aggrieved patient lodged an FIR against Dr. J.P. Swami at the local police station. Three consecutive meetings of Medical Boards were held to investigate the case of Sh. Poonam Chand @ Punit Meghwal, however, the result was in favour of the the Surgeon and the board concluded that the operation was conducted in the interest of the patient's health and no negligence seems to have occurred on the part of the treating surgeon.

The complainant further submitted that he had requested the respondent newspaper vide his letter dated 18.01.2016 followed by a reminder dated 06.02.2016 to publish regret for the said false news and to take appropriate action against the responsible person. But the editor did not bother to corroborate the truthfulness of the said news. The aggrieved hospital management has approached the Council for justice.

No written statement

A Show Cause Notice dated 16.05.2016 was issued to the editor of the respondent newspapers to file a reply but no reply was filed by the respondent newspaper.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. Shri Pranav Mishra appeared on behalf of the complainant. There was no appearance from respondent's side.

It is the allegation of the complainant that the news item published in the respondent newspaper in its issue dated 13.1.2016, is false. He states that the matter was enquired by a Committee and what has been published in the newspaper is untrue. The Inquiry Committee has perused the complaint and all connected papers and heard the counsel for the complainant. It seems that the news item had roots in the allegation made before the Bench of the Human Rights Commission. It seems that the respondent newspaper was covering the complaint considered by the Human Rights Commission, and in that, the impugned story figured. The Inquiry Committee is of the opinion that the respondent newspaper, while publishing the news item, has not committed any breach of journalistic ethics so as to call for action by the Council. It 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.43

F.No.14/665/15-16-PCI.

Complainant

Shri N.L. Singh,
Chief Pharmacist,
Balrampur Hospital,
Lucknow (U.P.)

Respondents

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

Adjudication

Dated 17.11.2016

Case Summary

This complaint dated 29.3.2016 has been filed by Shri N.L. Singh, Chief Pharmacist (Gazetted Officer), Balrampur Hospital, Lucknow (U.P.) against "Dainik Jagran" for publication of alleged false, baseless, misleading and defamatory news item along with photograph under the caption "मंहगी जांच न दवा, निकल रही अस्पताल की हवा" in its issue dated 14.1.2016.

It was reported in the impugned news item that irregularities are prevailing in Balrampur Hospital as the pharmacists are not giving all medicines to the patients and on requesting they misbehave with them. The paper quoted the case of patient namely Toshi, whose mother, Rufeza had been seen wandering in hospital for weeks to get all medicines as prescribed by the doctor. The pharmacist tell patients, that medicines are not available come next day. In this way patients are being put to inconvenience as pharmacists never have stock of most of the medicines prescribed by the doctors.

While denying the allegations levelled in the impugned news item, the complainant alleged that the respondent published false and baseless news item maliciously with a view to defame him. The complainant stated that the all medicines are provided to the patients as per prescription. With regard to the allegation of not providing all medicine to Smt. Rufeza, the complainant submitted that the medicines were not prescribed by the doctor of Balrampur Hospital, to the patient-Toshi and also out of ten medicines, four medicines were not provided by the supplier as the prescription was illegible. The complainant further submitted that the above fact was clarified by him to the Director and Chief Superintendent of Hospital. According to the complainant owing to such defamatory news he was posted on junior position despite having senior most. The complainant alleged that the respondent published the impugned news item under a conspiracy because he denied a press person to take medicine directly from the shop. The complainant submitted that he drew the attention of the respondent-Chief Editor, Dainik Jagran, Lucknow on 19.1.2016 towards the impugned news item and requested him to publish the contradiction along with his photograph but to no avail. He has requested the Council to take necessary action in the matter.

Show-cause Notice was issued to the respondent-Editor, Dainik Jagran, Lucknow on 15.7.2016.

Written Statement

Shri Dilip Awasthi, Editor, Dainik Jagran vide his written statement dated 8.9.2016 while denying the allegations has submitted that the complainant levelled false and baseless allegations in his complaint to save himself. According to the respondent, this

complaint is related to Shri Arif Mukim, Photographer of "Umeed Ki Roshni", who wrote to the Government of U.P. against the complainant on 1.11.2015, which has no relevance with the Dainik Jagran and its correspondent or photographer. The respondent further submitted that the complainant made his allegation against 10 other newspapers, which has no relevance with Dainik Jagran. The respondent stated that the impugned news item was based on true facts and published after taking version from Chief Medical Superintendent and Director of Balrampur Hospital and due to which the complainant was transferred to the Emergency Department of the Hospital. According to the respondent, they only raised points on the irregularities prevailing in the hospital and no specific reference was made about the complainant in the impugned news item. He has requested the Council to withdraw the Notice.

A copy of the Written Statement was forwarded to the complainant on 20.9.2016.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. Shri N.L. Singh, the complainant appeared in person. There was no appearance on behalf of the respondent.

The Inquiry Committee has heard the complainant and also perused the record. Despite service of notice, the respondent has not chosen to appear. In the facts and circumstances of the case, the Inquiry Committee is of the opinion that before publishing the story, the respondent newspaper ought to have taken the version of the pharmacist also. The Inquiry Committee recommends for disposal of the complaint with an observation that the respondent newspaper shall be careful in future.

Held

The Press Council on consideration of the 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 observation.

Press Council of India

Sl. No. 44-45

F.NO. 14/82-83/15-16-PCI

Complainant

Shri B. Arya,
Assistant Director,
Department of Posts,
Ministry of Communications & IT,
Govt. of India,
O/o Post Master General,
Agra Region, Agra
Uttar Pradesh.

Respondent

1. The Editor,
Dainik Jagran,
Agra, UP.
2. The Editor,
Hindustan
Agra, UP.

Adjudication
Dated 17.11.2016

Case Summary

This complaint dated 25.05.2015 has been filed by Shri B. Arya, Assistant Director, Department of Posts, Agra against the editors of 1. Dainik Jagran, Agra and 2. Hindustan, Agra, UP allegedly for publishing defamatory, false and baseless news to defame the image of a Senior Government officer in their respective issues dated 14.04.2015. Details are as follows:-

Srl.no	Issue dated	Newspaper	Caption
1.	14.04.2015	Danik Jagran	Dak nirdeshak ne pradershani meh nirikshak ko mari lath
2.	14.04.2015	Hindustan	Director ki khilaf ki abhadrata ki shikayat

According to the complainant a philately exhibition and campaign was organised from 30.03.2015 to 01.04.2015 for the publicity of *Sukanya Samridhi Yojana*, which was inaugurated by the Hon'ble M.P. of Mathura Constituency. The programme was attended by students from various schools and was well covered by the media, including both the respondent newspapers who published reports related to the function on their 31st March 2015 issue. The closing ceremony was on 1st April 2015 where prizes were distributed regarding various events that took place during the three day programme, which also included awarding the employees of the postal department for the successful organization of the event. The prizes were distributed by the Director of the Department of Post, Agra region. The said respondent newspaper on 14.04.2015 published a complete untrue, baseless and inaccurate news items alleging that the Director of Dept. of Post have misbehaved with an officer. According to the complainant, no such incident ever took place during the three day event and even after covering the event in their issue dated 31st March 2015, both the respondent newspapers published the impugned news items in their issues dated 14.04.2015, which according to the complainant, is a mere conspiracy to defame a Senior Government officer and the Department of Posts.

The complainant further submitted that their office had written to both the respondent newspaper vide letter dated 15.04.2015 with the request to publish the corrigendum in their newspapers followed by reminder dated 11.05.2015, for remedial action. No action was taken by the editors. The aggrieved complainant has therefore, approached the Council for justice.

No Written Statement

A Show Cause Notice dated 08.06.2015 was issued to the editors of the respondent newspapers to file a reply followed by a time bound reminder dated 15.02.2016, no reply was filed by the respondent newspapers.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. No one appeared on behalf of the complainant. Shri Arun Pathak, Advocate appeared for the respondent.

Despite service of Notice, the complainant has not chosen to appear. He has filed application seeking adjournment of the case. The Inquiry Committee is not inclined to accede to his prayer. The Inquiry Committee has perused the complaint and all other connected papers and also heard the Counsel representing respondent newspaper, Hindustan. On perusal of the news item the Inquiry Committee, is of the opinion that nothing has been said in the news which can be said to be in breach of the journalistic ethics. In fact, in Dainik Jagran, the version of the Director, that no incident had taken place has also been mentioned. It seems that the impugned news item is based on the complaint given by the Secretary of Union. 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. 46

F.No.14/358/15-16-PCI

Shri Umesh Kr. Sinha
Laxmi Nagar,
Delhi

The Editor,
Times of India,
New Delhi

Adjudication **Dated 17.11.2016**

Case Summary

This undated complaint received in the Secretariat of the Council on 6.8.2015 has been filed by Shri Umesh Kumar Sinha, CA, Laxmi Nagar, Delhi against the editor, The Times of India for publication of false, baseless and misleading news article in its issue dated 17.6.2015 under the caption "**Many companies under one roof, and they keep moving out**".

It is reported in the impugned news item that an IAS Officer, Ashish Joshi mentioned the name of Pratibha Sahay as the Director of a company, Pixel Infotech Private Ltd., while accusing CM's Secretary, Rajendra Kumar for launching many such companies. In the impugned news the reporter quoted that he encountered one Mr. Umesh Sinha husband of Ms. Pratibha Sahay who admitted that his wife was a Director of Pixel Infotech but claimed that that company had been shut down due to financial loss before 2010. He did not deny that Ms. Pratibha was related with Mr. Rajenda Kumar but refused to comment on the matter that as he did not want to talk about their personal relations. In the impugned news item it was further reported that complainant said that many officers have either moved out or have shut down their companies due to financial instability.

Denying the facts published in the impugned news item, the complainant submitted that the reporter of the newspaper came to his office on 16.6.2015 and enquired about some companies but he published incorrect facts in article with reference to his statements regarding his wife's family relation with Mr. Rajendra Kumar, Bureaucrat of Delhi Government for which he never talked to him. He never made such statement before the reporter. The complainant telephonically contacted the reporter and asked him to produce proof, but he could not produce any proof. The complainant vide e-mail dated 18.6.2015 drew the attention of the respondent editor towards the impugned publication with a request to publish apology, but received no response. The complainant requested the Council to take action against the respondent.

A Show Cause Notice issued to the respondent editor, 'The Times of India', New Delhi on 17.11.2015.

Written statement

In response, the respondent vide written statement dated 6.1.2016 denied and refuted the allegations in the complaint in toto. He specifically denied that the news printed "some additional matter" that the complainant, Mr. Umesh Kumar Sinha's wife has "family relation" with one Mr. Rajendra Kumar, a bureaucrat of the Government of NCT of Delhi. The news was published entirely on the basis of a first hand information that was directly disclosed by the complainant himself to the reporter on 16.6.2015. The

factually correct news was published in a bona fide manner in public interest in relation to regulated and unregulated business, with particular emphasis on private limited companies. However, the complainant's challenge to adduce evidence, since the complainant had emphatically forbidden to reporter from transcribing, clicking photographs or making audio/video recordings of the meeting, the allegations are false, baseless and misleading in as much as the news was published based on the information gathered from the complainant and was published without any ill will or malice towards complainant or anyone else. He requested to drop the proceedings against him.

A copy of written statement was forwarded to the complainant on 1.2.2016 for counter comments, but no response was received.

Report of the Inquiry Committee

Following an adjournment on 10.8.2016, the matter came up for hearing before the Inquiry Committee on 5.10.2016.

Despite service of notice, the complainant had not chosen to appear. The Inquiry Committee has perused the complaint, written statement and the connected papers and is of the opinion that respondent newspaper while publishing the impugned news item has not committed any breach of journalistic ethics. The Inquiry Committee, accordingly, recommends, for dismissal of the complaint.

Held

The Press Council on consideration of the 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.14/560/15-16-PCI

Shri Rajesh Yashpal Aggarwal,
Vashi, Mumbai

The Editor,
Eenadu,
Telangana.

Adjudication
Dated 17.11.2016

Case Summary

This complaint dated 8.2.2016 has been filed by Shri Rajesh Yashpal Aggarwal, Vashi, Mumbai against Editor, Eenadu, Telangana for refusing to publish his second public notice in their newspaper. The complainant stated that his first public notice on 29.1.2016 for the case matter of crime No.20/2012 at Narayanavanm PS registered on Criminal M.P.1570/12 & CF 2729/12 was duly published by the paper and draft pertaining to the subsequent continuation related to the same case was confirmed on 4.2.2016 by the paper after which NEFT was sent and payment receipt was issued and w.r.t. insertion on 5.2.2016 but later he got a call of Mr. Laxman from Eenadu office that he has been asked to ignore this public notice for publication.

The complainant also enclosed a newspaper of 29.1.2016 carrying the 1st public notice clipping in English alongwith payment receipt in respect of second public Notice which was required to be printed by the paper alongwith copy of emails and letter from Eenadu.

The complainant further stated that he emailed his complaint to the Chief Editor but got no response but he was informed on 11.2.2016 that Eenadu cannot publish the 1st notice which states that the complainant is not an absconder as such notices cannot be published in newspaper and on 16.2.2016 he got the enclosed letter with the demand draft.

The complainant requested the Council to take suitable action against Eenadu for its arbitrary action of not printing his advertisement.

A Notice for Comments was issued to the respondent newspaper on 8.4.2016.

Written Statement:

In his written statement dated 29.4.2016 the respondent submitted that in the instant case, the grievance of the complaint relates to non publication of the advertisement in the paper. In this regard the respondent submitted that the Editor, Editorial Department and Working Journalists do not concern themselves with the selection and publication of advertisements.

The respondent further submitted that advertisement content is not matter as defined under Regulation 2(C) of the Press Council and the Editor of Working Journalists has no role to play in the collection or publication/non publication of advertisements. Thus, the complaint is not maintainable. The respondent requested the Council not to take cognizance of the complaint as the same may be rejected.

A copy of the Written Statement of the respondent was forwarded to the complainant on 26.5.2016 for counter comments.

Counter Comments

The complainant in his Counter Comments dated 4.6.2016 reiterated his earlier submission and requested the Council to take suitable action against Eenadu for its arbitrary action.

A copy of the Counter Comments was forwarded to the respondent on 14.6.2016.

Report of the Inquiry Committee

Following an adjournment dated 10.8.2016, the matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi. Despite service of notice the complainant has not chosen to appear. Respondent is represented by its counsel. The grievance of the complainant is that the advertisement given by him was not published by the respondent newspaper. In sum and substance the advertisement given by the complainant was to the effect that he was never an absconder and through advertisement required this fact to be brought to the notice of the Court concerned. The Inquiry Committee is of the opinion that respondent has not breached any journalistic ethics by not publishing the advertisement. 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 decided to dismiss the complaint.

Press Council of India

Sl. No. 48-50

F.No.14/535 & 582-584/15-16-PCI

Complainant

Vs.

Respondent

Shri Nitya Nand Sinha,
Gurgaon, Haryana

The Editor,

1. Mumbai Mirror
2. Pune Mirror
3. Ahmedabad Mirror
4. Navbharat Times

(c/o the Bennett, Coleman and
Company Ltd.)

Adjudication

Dated 17.11.2016

Case Summary

This complaint dated 14.1.2016 has been filed by Shri Nitya Nand Sinha, Haryana against the Bennett, Coleman and Company Ltd. allegedly for publishing false, incorrect and defamatory news item under the caption "***Ex-Tata GM barred from abusing bosses on FB***" in 'Mumbai Mirror', 'Pune Mirror' and 'Ahmedabad Mirror' on 15.11.2015 and in the 'Navbharat Times' on 16.11.2015 .

It is reported in the impugned news item that the Tata Group has won the first round of a legal skirmish with a former high ranking employee who took to social media to allegedly defame his employer after his services were terminated. The Bombay High Court, which ruled in the company's favour, has imposed a fairly comprehensive gag order on the disgruntled worker. The provocateur, Nityanand Sinha, a former General of one of the Tata Housing firms, has been directed by the court to refrain from issuing derogatory statements about the firm in the future.

The complainant said that heading of the impugned articles is wrong, he did not abuse his former bosses on facebook but exposed "Customer Cheating Practices" of Tata Value Homes in the interest of public good and was doing National Duty as per Article "51A" of the Constitution of India. According to him, the impugned articles published by media house are grossly defamatory as they contain picture as well as his name tarnishing his reputation badly. The respondents published the said articles, online and offline, in this case without taking version of the complainant, at the behest of former employers. An ad-interim, ex-parte order of the Hon'ble High Court was used by the Media House to publish the said articles, the interim order is not in public domain. Publication of the same is an attempt to influence free and fair adjudication of the matter. The complainant vide legal rejoinder dated 14.12.2015 drew the attention of the respondent Bennett, Coleman and Company Ltd but received no response. The complainant requested the Council that media house may be asked to remove the said publications immediately as an interim measure and exemplary punishment be awarded to them for the said misconduct.

Written Statement of Navbharat Times and Pune Mirror

Navbharat Times and Pune Mirror vide written statement dated 2.4.2016 and 10.5.2016 sternly and specifically denied and refuted the contents of the complaint in toto. The respondent's newspapers have only reported on the observations and directions of the Hon'ble Bombay High Court in the said order, which is even otherwise

in the public domain. Furthermore, the news does not arrive at any conclusions qua complainant's guilt or innocence but merely reports the interim outcome of the ongoing dispute between the complainant and his former employer. The respondents further informed that vide an earlier letter dated 7.12.2015 they have replied to the legal notice of the complainant which is on record with the complainant. The respondents requested to drop the proceedings against them.

A copy of written statements of both the respondents forwarded to the complainant on 30.5.2016.

Counter comments

The complainant vide counter comments dated 13.6.2016 while reiterating his complaint submitted that the contents of the written statement are incorrect and denied as a whole. He further submitted that the true and correct position has already been set out in details in the complaint and the contents of the same may be read as part and parcel of the present rejoinder. He denied the claim "responsible media coverage" in the current complaint as the publication was grossly unfair, done by revealing identity of the complainant.

A copy of the counter comments was forwarded to the respondents Navbharat Times, New Delhi and Pune Mirror, Maharashtra on 13.6.2016 and 27.6.2016 respectively for information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. The complainant appeared in person. There was no appearance on behalf of the respondents.

The Inquiry Committee has heard the complainant and perused the complaint, the written statement and all the connected papers. The Inquiry Committee is of the opinion that the impugned story is based on the averments made in the plaint and an ad-interim order of the High Court. The Inquiry Committee is of the opinion that the respondent newspapers have not breached 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 the 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 aforesaid observations.

Press Council of India

Sl.No. 51

F.No.14/47/16-17-PCI

Shri B.R.Prasad Shastri,
Retired Senior Superintendent,
Deptt. of N.S.S.O., Govt. of India
Allahabad, Uttar Pradesh

Vs.

The Editor,
United Bharat,
Allahabad, U.P.

ADJUDICATION

Dated: 17.11.2016

This complaint dated 4.5.2016 has been filed by Shri B.R.Prasad Shastri, Allahabad, Uttar Pradesh against the Editor, United Bharat Akhbar allegedly for publishing false and defamatory news item titled “डकैती के आरोपी के खिलाफ वारंट, फिर भी गिरफ्तारी आज तक नहीं?” describing him as land mafia and looter in its issue dated 17.12.2015.

In the news item it has been reported that Shri B.R. Prasad Morya has been indulging in land grabbing. S/Shri Surender Tripathi, Naseem Hasimi, Surender Sorya, Virendre Maurya, Rajkumar etc. are his accomplices. He has an organized gang for this work. Due to political links, the accused are not arrested by the Police and therefore there is public rage against the Police. There are numerous cases registered against Shri Morya and his accomplice in Jhunsi Police Station. Shri Morya has never appeared before the court. Having taken serious view on the matter, the court issued non-bailable arrest warrant against him in a case related to Dalit harassment. The Police is yet to arrest him.

The complainant submitted that he is a retired Senior Superintendent, Deptt. of N.S.S.O., Govt. of India. He alleged that the impugned report was published under the pressure of Shri Satyanaran Singh, a land-mafia. If anybody objects to his wrong-doings, he in connivance with the Police get false FIRs registered the person. The complainant stated that the report has maligned his reputation by describing him as land mafia and associated him with the land mafia illegally. The complainant vide letter dated 22.2.2016 has asked the Editor to adduce evidence of his involvement in land grabbing case but received no response.

A Show Cause Notice issued to the respondent Editor, ‘United Bharat’, U.P. on 29.6.2016.

Written Statement

The respondent vide letter dated 9.7.2016 submitted that the allegations in the complaint is baseless as the report was not published to malign him. The complainant has manipulated the details which are beyond the facts. He stated that many FIRs are registered against the complaint under various Sections and chargesheet filed in the court, followed by arrest warrant against him. The respondent submitted that the report was published on the basis of certified documents by the court and requested the Council not to take further action.

A copy of the written statement was forwarded to the complainant on 19.7.2016.

Counter comments

In response, the complainant vide letter dated 5.9.2016 addressed to the respondent editor and copy endorsed to the Council submitted that the facts about the

impugned news were not taken from the court but from some other source because had the same been taken from the court, a factual report would have been published by the paper instead of hiding the facts. If he is involved with land-mafia and associated in grabbing land, the respondent may provide the certified records.

A copy of the counter comments were forwarded to the complainant on 16.9.2016.

Recommendation of the Inquiry Committee

The matter is placed before the Inquiry Committee for hearing on 5.10.2016 at New Delhi. The complainant was not present whereas Shri Vinod Kumar Singh Parmar, Advocate, High Court, Allahabad appeared on behalf of represented the respondent.

In respect of same news item Shri B.R. Prasad Shastri and Shri Surendra Tripathi have filed separate complaints.

Despite service of notice the complainants have not chosen to appear. Respondent is represented by his counsel. The Inquiry Committee has perused the complaint, the written statement and all other connected papers. The Inquiry Committee having gone through those papers is of the opinion that the impugned news item is based on the various cases lodged as also the order of the court. The Inquiry Committee does not find any substance in the grievance made by the complainant. The Inquiry Committee accordingly recommends for dismissal of the complaints.

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. 52

F.No.14/65/16-17-PCI.

Complainant

Shri Gajendra Pandey,
Village Bhimpur,
Deoria (U.P.)

Respondent

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

Adjudication

Dated 17.11.2016

This complaint dated 13.5.2016 has been filed by Shri Gajendra Pandey, Deoria (U.P.) against "Dainik Jagran" for allegedly publishing false and defamatory news item under the caption "पिता-पुत्र पर कहर बनकर टूटे दबंग" in its issue dated 26.3.2016. It was reported in the impugned news item that some powerful persons of the Village Bhimpur (Salempur Police Station) brutally attacked Subhash Yadav during a folk programme going on in front of his house on the eve of Holi. It was further reported the police registered a case against 19 people.

The complainant submitted that Shri Sanjay Yadav, Bureau Chief of respondent-newspaper "Dainik Jagran" reported the false place of occurrence in connection with a case registered against his kith and kin, which is against the established principles of fair journalism. According to the complainant, the factum of falsity is being apparent with the place of occurrence of incident mentioned in Salempur Police Station case No.68/2016 lodged by Shri Subhash Chandra Yadav (father of Bureau Chief) was Purandar Baba Brahamdev Mandir. The complainant further submitted that apart from the said FIR, the matter was also reported in other newspaper namely "Amar Ujala" and "Hindustan" in which the place of occurrence was mentioned as Purandra baba Deoasthan. The complainant alleged that Shri Sanjay Yadav got reported false place of occurrence with the malafide intention and also to tarnish his and his family image in public.

The complainant submitted that he lodged a complaint through his counsel before the Chief Editor, Dainik Jagran, Gorakhpur but no action has been taken against the erring reporter so far. He has requested the Council to take suitable action against the Bureau Chief for false reporting.

Notice for Comments was issued to the respondent-Editor, Dainik Jagran, Gorakhpur on 9.6.2016 and in the absence of any reply, Show-Cause Notice was issued to him on 8.8.2016.

Comments of the Respondent

In response to the Notice for Comments dated 9.6.2016, the Senior Press Editor, Dainik Jagran vide his written statement dated 11.8.2016 and 26.8.2016 has submitted that the impugned news was published on the basis of the information given by their local correspondent over phone. The respondent admitted that by mistake, the wrong place of occurrence was published. The respondent also submitted that he published the contradiction in his newspaper on 30.7.2016 in this regard under the caption "कीर्तन के गाने को लेकर मंदिर पर हुई थी मारपीट". He has requested the Council to dismiss the case keeping in view the contradiction published by him.

In response to the show-cause notice dated 8.8.2016, the respondent vide his letter dated 26.8.2016 reiterated his comments.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. Shri Rajeev Kumar Tiwari appeared for the complainant. Shri Birendra Mishra and Ms. Poonam, advocates appeared for the respondent.

It is the allegation of the complainant that in the impugned news item the place of occurrence has been changed from a temple to that of the door of Subhash Yadav malafidely at the instance of Bureau Chief, Sanjay Yadav who happens to be the son of said Subhash Yadav. The respondent in his reply had admitted the mistake and published the corrigendum. The Inquiry Committee is prime facie of the opinion that this was not an inadvertent error but a malafide one at the instance of Bureau Chief. The Inquiry Committee is inclined to pass appropriate orders against the respondent newspaper but in view of the statement made by the counsel for the respondent that appropriate action shall be taken against the Bureau Chief within four weeks, the Inquiry Committee is not inclined to proceed any further in the matter. The action taken by the respondent newspaper against the Bureau Chief be communicated to the Council within six weeks. The Inquiry Committee recommends for disposal of the complaint in the aforesaid terms.

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 terms.

Press Council of India

Sl.No. 53

F.No.14/48/16-17-PCI

Shri Surendra Tripathi
Former Gram Pradhan ,
Jhunsi, Allahabad,U.P.

Vs.

The Editor,
United Bharat,
Allahabad, U.P.

ADJUDICATION
Dated: 17.11.2016

This complaint dated 4.5.2016 addressed to the editor and copy endorsed to the Council has been filed by Shri Surendra Tripathi, Allahabad, Uttar Pradesh against the editor, United Bharat allegedly for publishing false and defamatory news item titled “डकैती के आरोपी के खिलाफ वारंट, फिर भी गिरफ्तारी आज तक नहीं?” describing him as land mafia and looter in its issue dated 17.12.2015.

It is reported that B.R.Prasad Morya has been for a long time indulging in grabbing land illegally. S/Shri Surender Tripathi, Naseem Hasimi, Surender Morya, Virendre Maurya, Rajkumar etc. are his accomplices. He has an organized gang for this work. Due to political links, the accused are not arrested by the Police and therefore public is against the Police. There are numerous cases registered against Shri Morya and his accomplice in Jhunsi Police Station. Shri Morya has never appeared before the court. Having taken serious view on the matter, the court issued non-bailable arrest warrant against him in a case related to Dalit harassment. The Police did not succeed to arrest him.

The complainant submitted that he is former Gram Pradhan and alleged that the impugned report was published under the pressure of Shri Satyanaran Singh, a land-mafia. If anybody objects to his wrong-doings, he in connivance with the Police registers false FIRs against those person. The complainant stated that the report has maligned his reputation by describing him as land mafia. The complainant through a letter asked the editor to adduce evidence of his involvement in land grabbing case, but received no response.

A Show Cause Notice issued to the respondent editor, ‘United Bharat’, U.P. on 29.6.2016.

Written Statement

The respondent vide letter dated 9.7.2016 submitted that the allegations in the complaint is baseless and the report was not published to malign him. The complainant has manipulated the details which are beyond the facts. He stated that many FIRs are registered against the complainant under various Sections and chargesheet filed in the court, followed by arrest warrant against him. The respondent submitted that the report was published on the basis of certified documents by the court and requested the Council not to take further action.

A copy of the written statement was forwarded to the complainant on 20.7.2016.

Recommendation of the Inquiry Committee

The matter is placed before the Inquiry Committee for hearing on 5.10.2016 at New Delhi. The complainant was not present whereas Shri Pramod Kumar Dwivedi, Advocate represented the respondent.

In respect of same news item Shri B.R. Prasad Shastri and Shri Surendra Tripathi have filed separate complaints.

Despite service of notice the complainants have not chosen to appear. Respondent is represented by his counsel. The Inquiry Committee has perused the complaint, the written statement and all other connected papers. The Inquiry Committee having gone through those papers is of the opinion that the impugned news item is based on the various cases lodged as also the order of the court. The Inquiry Committee does not find any substance in the grievance made by the complainant. The Inquiry Committee accordingly recommends for dismissal of the complaints.

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. 54

F.No.14/599/15-16-PCI

Complainants

Shri M.S. Rathore,
Advocate,
Surat (Gujarat).

Ms. Shabana A. Jariwala,
Advocate,
Surat (Gujarat).

Respondent

The Editor,
Gujarat Samachar,
Surat (Gujarat)

Adjudication
Dated 17.11.2016

Case Summary

The complainants-Shri M.S. Rathore, Advocate and Ms. Shabana A. Jariwala, Advocate, Surat (Gujarat) vide their joint letter dated 6.4.2016 have alleged that the "Gujarat Samachar" in its issue dated 13.1.2016 published a news with sensational headline "**Queen of Jhansi: In Udhna a lady attacked a young man with knife**"(English translation). The complainants further alleged that the respondent-newspaper honoured a criminal lady with title of Jhansi Ki Rani which is highly objectionable. According to them, Jhansi Ki Rani or Queen of Jhansi, the Great Woman warrior ever born within 1000 years of human history of the world and her name gave inspiration for dedication and sacrifice for the cause of motherland. The complainant further stated that they object to the comparison of a criminal with stalwart personality whose name and fame always remain ever shining like a Pole Star in the sky for bravery, leadership and sacrifices and greeting death in her prime youth age. The complainants alleged that the respondent-newspaper used the title Jhansi Ki Rani to sensationalize the news for better sale, which is against the ethics.

The complainants informed that the attention of the respondent-newspaper was drawn on 20.1.2016 in this regard but no response was received from them.

Show-Cause Notice was issued to the respondent-Editor, Gujarat Samachar, Surat on 15.6.2016.

Written Statement

The Managing Editor, Gujarat Samachar vide his written statement dated 15.7.2016 while denying the allegations levelled in the complaint submitted that the complainants have no locus standi as the impugned news item is not concerning to them in any manner. The respondent further submitted that the impugned news is a bare fact of an incident registered with Udhana Police Station, Surat and neither victim nor accused or their relatives ever raised any objection till date in any manner before them or with any other authorities. The respondent stated that the complainants have not disclosed in the complaint that in what manner they are concerned with the impugned report and what are the specific references in the report against them and in what manner it amounts to violation of journalistic norms or code of conduct of the press as set by Press Council. According to the respondent, it appears that the complainants have adopted selective approach by picking up the words "Jhansi Ki Rani" from the title of the news item by ignoring the contents of the report and tried to present historical aspect in a fanciful manner. The respondent further stated that the phrase 'sensationalisation' is

general and subjective term and they have used it for their convenience. According to the respondent, the complainants are not at all aggrieved persons so far the published report of the incident is concerned. The correct and factual news report based on the incident reported to the Police Station is within the right of freedom of speech and expression of the press. and therefore, the said complaint is required to be quashed.

A copy of the written statement was forwarded to the complainants on 9.8.2016.

Counter Comments

In response to Council's letter dated 9.8.2016, the complainants vide his point-wise counter comments dated 6.9.2016 has termed the reply of the respondent as totally irrelevant, tenable and unacceptable. The complainants have further submitted that the statement of the respondent is stereotype only to put their defence in very artifice manner to save himself by undermining the supreme sacrifices, valour and heroic deeds of great national heroes and the great ladies in the name of freedom of speech guaranteed by our Constitution. With regard to the respondent's query that in what manner complainants are concern with the said impugned news item, the complainant have submitted that they are concerned with subject news as vigilant citizen of the country and they will not close their eyes, ears and mouth towards such unhealthy news which has been published by the respondent only to sensationalize news for more publicity to raise the circulation of his newspaper. The complainants have further submitted that their concerned is only against the use of the title Jhansi Ki Rani for criminal/accused, the respondent using the same phrase/words against them only to try to shield himself for misuse of title Jhansi Ki Rani, being editor of such renowned newspaper, he should have thought over before comparing any person with the dignitaries of national and international levels.

A copy of the counter comments was forwarded to the respondent on 16.9.2016 for information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. There was no appearance on behalf of the complainant. Shri Hemanshu Patel, Resident Editor appeared for the respondent.

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 headlines of the impugned news item justify its contents. The Inquiry Committee does not find any merit in the grievance of the complaint and 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. 55

F.No.14/148/16-17-PCI.

Complainant

Ms. Minakshi Maheshwari,
Mumbai,
Maharashtra.

Respondent

The Editor,
Indian Express,
Mumbai.

Adjudication
Dated 17.11.2016

Case Summary

This complaints dated 22.6.2016 & 29.6.2016 has been filed by Ms. Minaskhi Maheshwari, Mumbai against "Indian Express", Mumbai for allegedly publishing unsubstantiated, unverified and misleading news item under the caption "28 year old Rajasthan man held for creating Mumbai woman's fake FB profile" in its issue dated 20.2.2016.

It was reported in the impugned news item that the complainant, a 40-year old woman, had approached BKC Cyber Police Station in November last year after she found out that someone had created a facebook profile in her name and had her photograph as display picture. She realised that someone had created a fake e-mail address in her name after receiving an e-mail that informed her of facebook activity. The impersonator had then sent friend requests to others posing as the complainant, said DCP (cybercrime). It was further reported that the accused Mohit Marothi, a B.Com graduate, had created a facebook profile in the name of a woman working at an MNC, following which she approached the cyber police.

The complainant submitted that she is the original complainant in the cyber-crime case registered on November 21, 2015 and reported in the said impugned news item which has led to arrest of Marothi, based on his confession to the police though there are various lapses in the investigation including the non-recording of her statement and the witnesses in the case. According to her, she was shocked to read the contents of the news item and after having done verification and validation at her end, she wrote a complaint to the Resident Editor, Indian Express, Mumbai on 22.4.2016 requesting him to publish her right of reply as the original complainant with correct facts. In response thereto, the respondent-editor vide his letter dated 26.4.2016 submitted that the impugned news item was based on briefing from the cybercrime police and that the identity of the complainant was not informed to them and hence they could not contact her for her comments for publication. The complainant submitted that she replied in this regard to the resident editor on April 26, 2015 requesting him to reveal the name of the junior officers and also issue a corrigendum including her version without her name but the resident editor through an email dated April 28, 2016 closed her complaint. The complainant informed that she escalated the matter to the National Editor through an email dated May 27, 2016 and also shared the RTI Reply received from the Rajasthan Police on May 21, 2016 but received no reply. According to the complainant, despite all facts being explained to the respondent the news item still remained on the Indian Express website and no effort was made to correct the facts. She has requested the Council to take necessary action in the matter.

Show-cause Notice was issued to the respondent-Editor, Indian Express, Mumbai on 12.7.2016.

Written Statement

The Editor, Indian Express, Mumbai vide his written statement dated 16.8.2016 while denying the allegation levelled by the complainant has submitted that the impugned news item is based on the police briefing and as the police did not disclose the identity or any detail of a woman, it was not possible to contact the complainant for her comments.. The respondent further submitted that they did not publish the name of the complainant in the impugned news item and the complainant has not produced any document or copy of FIR to show that she is the complainant mentioned in the impugned news report. According to the respondent, the complainant sent a very lengthy complaint through email and they immediately sought the response of the correspondent concerned and forwarded to her where it was categorically pointed out that the impugned news item was based on briefing from the police and that the identity of the complainant was not informed to him and hence he could not contact her for her comments before publication. The respondent further submitted that the main grievance of the complainant relates to her on-going litigation with KPMG India (one of the 4 big Auditors having presence in multiple countries) of alleged sexual harassment, in respect of proceedings are pending before the Hon'ble High Court, Bombay. There are also proceedings pending before the National Commission for Women and the complainant also disclosed grievances against Mumbai Mirror, CNN-IB and others and all these proceedings and grievances are not connected with the impugned news item. The respondent has stated that it is not possible for him to cover the allegations of the complainant against others, which have no connection with the impugned news item. The respondent further stated that he is the editor of the Indian Express newspaper (print edition) and he has no control over what appears on the internet/website as the same is managed by another company. Nevertheless, he had requested them to correct the two things which the complainant required, and the same had been done. The respondent submitted that the reference to fake e-mail account has been removed, and the word "formerly" has been added to "working with NCM". The respondent further submitted that two prayers of the complainant cannot be granted viz. (i) the complainant's lengthy and verbose version cannot be published as the same consist of serious allegations against various persons and also the allegations have no direct connection with the impugned news item; and (ii) the source of the impugned news item cannot be disclosed.

A copy of the written statement was forwarded to the complainant on 26.8.2016.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. Ms. Meenakshi, the complainant appeared in person. Shri Kumal Anand, Advocate appeared for the respondent.

The Inquiry Committee has heard the complainant and the counsel for the respondent. The complainant is aggrieved by the news item published in the respondent "Indian Express" in its issue dated 20.2.2016 under the caption "28 year old Rajasthan man held for creating Mumbai woman's fake FB profile". The respondent newspaper in its reply has stated that the identity of the complainant was not disclosed by the police and hence she could not be contacted for comments before publication. Now the complainant herself disclosed her identity and is aggrieved by the publication of the said news item. The Inquiry Committee is of the opinion that ends of justice shall be met in case the complainant's version restricting to the news item is published. The complainant shall give her version within two weeks and the respondent newspaper receiving the same shall publish the same after necessary editing within one week thereafter. The Inquiry Committee recommends for disposal of the complaint in the aforesaid terms.

Held

The Press Council on consideration of the 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 in the aforesaid terms.

Press Council of India

Sl. No. 56

F.No. 14/93/16-17-PCI

Complainant

Shri Saji Lal,
Sreepadmam,
Trivandrum

Vs.

Respondent

The Editor,
Mathrubhumi Daily,
Kerala

Adjudication

Dated 17.11.2016

Case Summary

This complaint dated 3.6.2016 has been filed by Shri Saji Lal, Kudayal, Trivandrum against the editor, Mathrubhumi daily, Kerala allegedly for publishing an objectionable cartoon portraying "Lord Ganesha" in its issue dated 27.5.2016.

According to the complainant, the impugned caption is as an insult to the Hindu God and therefore hurts the sentiments of Hindu across the world. The complainant vide letter dated 3.6.2016 drew the attention of the respondent towards the said cartoon but received no reply. The complainant requested the Council to take appropriate action in the matter.

A Show Cause Notice was issued to the respondent editor, 'Mathrubhumi Daily, Kerala on 22.6.2016.

Written Statement

The respondent Editor vide letter dated 9.7.2016 submitted that apart from a bald allegation that the complainant believes that the cartoon has insulted Lord Ganesha, the complainant does not explain how or why he considers it to be an insult. The purely subjective feeling of an individual is not and cannot be the standard to judge whether the published material offends the standard of journalistic ethics or public taste. A cartoon, unlike other visual representations (like drawing, painting, photograph etc) is always a satiric expression of a theme. But some prosaic people, bereft of any sense of humour and imagination, cannot understand the underlying object of a cartoon. The cartoon ennobles the God, who is justly famous for his ability to remove obstacles, the idea attempted to be conveyed by the cartoon, which can be perceived by the politically savvy public, who form the majority of Mathrubhumi readers, is that Messrs. Pinarayi Vijayan, Sudhakaran and Seetharam Yechuri are seeking the blessings of V S Achuthanandan obviously to remove the possible obstacles to their political fortunes; the nonagenarian V S Achuthanandan is portrayed as capable of eliminating the expected obstructions, with his son being depicted as the mouse. Propitiating Ganesha (called Ganapathi pooja) is a popular and accepted prelude to any human activity and therefore there is nothing in the cartoon constituting any insult to any God. The respondent prayed to drop the proceedings owing to baseless complaint.

A copy of written statement forwarded to the complainant on 9.8.2016 for counter comments, if any.

Counter comments

The complainant vide letter dated 30.8.2016 filed his counter comments and submitted that the respondent jibes at the complainant and the Council stating that people without any sense of humour are unable to understand cartoons well. He stated that Lord Ganesha was cartooned in an insulting manner, morphing his body with the

face of a politician, who is well known for his atheistic views. The statement of the respondent that the cartoon ennobles Lord Ganesha, contradicting his own statement as he treats the cartoon as something which supports Ganpathi Pooja in which head of Lord Ganesha is never replaced with the same of a human being. The complainant said that the respondent portrays the Prime Minister as protagonist of a particular religious view and his so called statement on plastic surgery and Lord Ganesha does not have any relevance of insulting the God in the cartoon. The complainant stated that the incident was widely discussed in the social media for long time and many readers of the newspaper made telephone calls to their offices. In reply to one of the callers, the cartoonist stated that he did not mean Lord Ganesha but V.S. Achuthanandan (the politician portrayed as Ganesha) with a snout was also widely spread across the social media. In this way, that none of the general public found anything objectionable in the cartoon, is not sustainable. The complainant requested to do the needful to stop such irresponsible actions which hurt the feelings of devotees.

A copy of the counter comment forwarded to the respondent on 16.9.2016.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. There was no appearance from complainant side. Shri B.G. Bhaskar, Advocate appeared for the respondent.

Despite service of notice, the complainant has not chosen to appear. The respondent is represented by its counsel. The Inquiry Committee has perused the complaint, the reply and all other connected papers. It has also heard the counsel for the respondent. The Inquiry Committee is of the opinion that cartoon in question cannot be said to be objectionable or vulgar. The cartoonist has attempted to depict the political scenario at the relevant time. The Inquiry Committee does not find any illegality in that 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 with aforesaid observations.

PRESS COUNCIL OF INDIA

Sl. No. 57

F.No.14/193/15-16-PCI

Complainant

Shri Ram Dayal,
Anoopnagar, Madhya Pradesh.

Respondent

The Editor,
HariBhoomi,
Jabalpur.

Adjudication

Dated 17.11.2016

Case Summary:

This complaint dated 9.5.2015 has been filed by Shri Ramdayal, Anoopnagar, Madhya Pradesh against the editor, Haribhoomi, Jabalpur edition alleging publication of objectionable news item in its issue dated 21.4.2015 under the caption “हरिजन भूमिहीनों की जगह पूंजीपति कर रहे हैं कब्जा” It is reported in the impugned news item that in Kotma Tehsil illegal encroachment is going on at government land. It is also reported in the news item that Kotma is a vast tribal area and big money lenders and middleman encroaching their land, have built big bungalows and rented out.

Denying the allegations levelled in the impugned news item the complainant submitted that the Revenue Officers made wrong entries in Khasra Register of Madhya Pradesh Government and levelled allegation that he in connivance with the senior officers is grabbing tribal land. The complainant submitted that the journalist of the newspapers demanded a sum of Rs.3000/- from him for publishing truth but when he did not fulfill his demand he published this false and concocted news item. The complainant submitted that the impugned news item published without proper verification with the intention to lower his image in the eyes of the public, friends and society and to mentally harass him. The complainant vide letter dated 9.5.2015 drew the attention of the respondent towards the impugned news item and requested him to publish contradiction of the same, but the paper did not respond. He has requested the Council to take action against the respondent.

No written statement

A Show Cause Notice was issued to the respondent editor, Haribhoomi, Jabalpur on 15.7.2016, but no response was received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. There was no appearance from either side.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and other connected papers and is of the opinion that no action needs to be taken against the respondent newspaper. The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

Held

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

Press Council of India

Sl. No. 58

F.No. 14/568/15-16-PCI

Complainant

Vs.

Respondent

Shri Ashish Gupta,
Gwalior,
Madhya Pradesh

The Editor,
Hindustan Times,
New Delhi

Adjudication

Dated 17.11.2016

This complaint dated 1.1.2016 has been filed by Shri Ashish Gupta, Gwalior against the Editor, Hindustan Times for allegedly creating communal tensions in society by using inappropriate word 'dalit' in the caption '**Dalit man thrashed for gatecrashing wedding, dies**' in its issue dated 29.11.2016.

In the impugned news item, it is reported that a Dalit man was allegedly beaten to death for gatecrashing in a marriage party. The accused persons who were known to the deceased, thrashed him for entering the wedding party venue without invitation. During the preliminary investigation, it has been learnt that the victim was drunk.

The complainant submitted that there was no use of writing 'Dalit' in the heading as the impugned news item clearly mentions that the man died because of gatecrashing, moreover he was drunk. He was not beaten unto death because of his caste.

The complainant through email drew the attention of the respondent towards the said news item and requested for an apology for the same but received no response.

No Written Statement

A Show Cause Notice was issued to the respondent Editor, 'Hindustan Times', New Delhi on 30.3.2016, but received no response.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. No one appeared from either side.

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 use of the expression 'Dalit' in the context is not misplaced. 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.59

F.NO. 14/451/15-16-PCI

Complainant

Shri Haridasan Mathilakath,
Kamothe, Navi Mumbai,
Mumbai, Maharashtra.

Respondent

1. The Editor,
The Hindustan Times,
India Bulls Finance Centre,
Elphinstone Road(W),
Mumbai.

Adjudication

Dated 17.11.2016

Case Summary

This complaint dated 25.12.2015 has been filed by Shri Haridasan Mathilakath, Kamothe, from Navi Mumbai, Maharashtra, wherein he has objected to the manner of editing carried out by the respondent newspaper in publishing an article under his name in its issue dated 07.11.2015, captioned "***Outcome of film-makers' protests remains to be seen***". According to the complainant he is affected by the fact that his name was appended to a view published by the respondent newspaper that is contrary to what he believes. Shri Haridasan Mathilakath, further submitted that earlier also he had noticed similar manner of editing by the Hindustan Times newspaper, but, as those were a partial distortion of his submitted write-ups so he choose to ignore them.

According to the complainant, a writer while expressing his views is only concerned about voicing his approval or disapproval on an issue and whether the newspaper publish the comment or not, does not bother the writer. In this instance, presenting a totally contrasting view that is opposite to the writers' conviction is an unethical practice and amounts to misusing a person's name as well as tarnishing the image of the writer. The complainant wrote to the respondent newspaper vide letter dated 07.11.2015 in this regard but the respondent newspaper did not respond.

The aggrieved complainant has approached this Council to take action against such unethical practice of a reputed daily.

Written Statement

A Notice for Comments dated 01.02.2016 was issued to the editor of the respondent newspapers to file a reply followed by a Show Cause notice dated 24.06.2016. The respondent vide his reply dated 29.7.2016 denied the allegations made by the complainant in his complaint and stated that the publication of the said news article was in good faith and keeping in mind the ethics of responsible and fair journalism. He has further submitted that he immediately published the clarification in the newspaper in Mumbai Edition on 13.2.2016, expressing regret for the inconvenience caused due to the inadvertent error and required view of the complainant was also printed to ensure fair dealing with the content. 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 5.10.2016 at New Delhi. No one has appeared on behalf of the complainant. Shri Arun Pathak, Advocate appeared for the respondent.

The complainant wrote a letter in the column of letters to the Editor. It is his grievance that while publishing the said letter the main contents have been deleted and in this way what has been conveyed to the readers was not what the complainant intended to share.

The Inquiry Committee is in agreement with the contention of the complainant that Editor may have the right to edit the letter but while doing so, a view that is opposite to the view projected in the letter cannot be published.

The respondent newspaper has expressed regret for that and published the contents of the letter written by the complainant. Taking into account the regret expressed by the newspaper, the Inquiry Committee is not inclined to proceed in the matter any further. It recommends for disposal the complaint accordingly.

Held

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