

## **Press Council of India**

Item no.

Index of adjudications based on the recommendations of the Inquiry Committee.

### **Complaints against the Press** **Section 14**

#### **Inquiry Committee meeting held on 14-15 March, 2017 at Hyderabad**

1. Complaint of Dr. Pallavi Darade, IRS, Mumbai against the Editor, Mumbai Mirror (14/196/16-17).
2. Complaint of Ms. Nalini N. Nayak, Mumbai, against the Editor, Times of India, Bhubaneswar (14/364/16-17-PCI).
3. Complaint of Shri Ravi Kiran, Secunderabad against the Editor, Eenadu, Telangana (14/226/16-17).
4. Complaint of Shri Nakka Ananda Babu, MLA, Guntur Edition against the Editor, Sakshi, Hyderabad (14/291/16-17).
5. Reference received from Shri Pankaj Kumar Pandey, IAS, OSD, (Exp. Monitoring), Bangalore, regarding alleged publication of Paid News in Tamil Murasu, Tamil Nadu (14/742/14-15)
  - (a). Reference received from Shri S.K. Das, US, Election Commission of India regarding alleged publication of paid news in Dinakaran (14741/14-15)
6. Complaint of Dr. Shri Sheetal Kumar J Patil, Trustee, Dr. J.J. Magdum Trust, Jaysingpur against the Editor, APRATIM, Jaysingpur (14/429/16-17).
7. Complaint of Prof. Vipin Srivastava, Hyderabad against the Editor, Times of India. (14/375/16-17).
8. Complaint of Shri S. Bhaskaran, against the Editor, Junior Viketan, Puducherry (14/268/16-17).
9. Complaint of Shri Karanam C, Hyderabad against the Editors, Andhra Bhoomi, Deccan Chronicle, Andhra Pradesh, Prajasakthi, Andhra Jyothi, Sakshi, Eenadu (14/317-323/16-17).
10. Complaint of Shri Ramakant Pandey, Mumbai against the Editor, Dakshin Mumbai (14/431/16-17).
11. Reference received from Shri S.K. Das, US Election Commission of India regarding alleged publication of paid news in Odisha Khabar (14/732/14-15).
  - a. Reference received from Shri S.K. Das, US Election Commission of India regarding alleged publication of paid news in Kranti Dhara (14/730/14-15).
  - b. Reference received from Shri S.K. Das, US Election Commission of India regarding alleged publication of paid news in Orissa Post (14/704/14-15).
  - c. Reference received from Shri S.K. Das, US Election Commission of India regarding alleged publication of paid news in Dhariti, Bhubaneswar (14/726/14-15).
  - d. Reference received from Shri S.K. Das, US, Election Commission of India regarding alleged publication of paid news in Odisha Express, (14/703/14-15).
  - e. Reference received from Shri S.K. Das, US Election Commission of India regarding alleged publication of paid news in Anupam Bharat (14/72/14-15).
12. Complaint of Shri V. Dinesh Reddy, Former DGP (HOPF), Government of Andhra Pradesh,

Hyderabad against the Editor, Deccan Chronicle, Hyderabad, (14/428/16-17)

13. Complaint of Shri Boleowda, Kunigal against the Editor, Yuvakraanthkaarigal Asthra, Bangalore (14/372/16-17).
14. Complaint of Shri Joy Joseph, Kerala against the Editor, MalayalaManorama (14/276/16-17).  
**Inquiry Committee Meeting held on April 10, 2017 at, New Delhi**
15. Complaint of Smt. Savita Garg, Sambhal, UP against the Editor, Nai Soch Nai Disha, UP (14/280/16-17).
16. Complaint of Shri V.K. Singh, Hon'ble Minister of State for External Affairs, New Delhi against the Times of India (14/559/15-16).
17. Complaint of Shri Ram Prasad Patel, Sagar, MP against the Editor Peoples Samacharpatra. (14/287/2016-17).
18. Complaint of Shri Indrajeet Kapani, Indore, MP against the Editor Dainik Bhaskar and Patrika (14/274-275/15-16).
19. Complaint of N.H. Meena, General Manager, Neemach, MP against the Editor, Dashpur Express, Neemch (14/197/16-17-PCI).
20. Complaint of Ms. Ranjan Lata, District Cammore, Bihar against Editor, Dainik Aaj Mau, U.P. (14/496/15-16).
21. Complaint of Shri Bhagwandeensahu, Spokesman, Shri VedantSevaSamiti, Chhindwada, M.P. against the Dainik Bhaskar, (14/299/16-17-PCI).
22. Complaint of Financial Technologies (India) Ltd., Delhi against Business Standard (14/636/15-16).
23. Complaint of Shri Devendra Mishara, Shahjahanpur, UP against the Editor, Rahat Times (14/363/16-17).
24. Complaint of Dr. Surendra Jain, Joint General Secretary, VishwahinduParishad, New Delhi against the Editor, The Hindu. (14/359/16-17).
25. Complaint of Shri Saddul Hussain, OSD to Hon'ble Chief Minister of J&K against the Editor, Early Times, Jammu & Kashmir (14/288/16-17)

**Inquiry Committee Meeting held on May, 2017 at New Delhi**

26. Complaint of Shri Yusuf Ali, Secretary, Dawoodi Bohra Jammata, Udaipur (Raj.) against the Rashtrdoot, Udaipur (Raj.) (14/172/13-14).
27. Complaint of M/s SOM Distilleries & Breweries Ltd, Bhopal, Madhya Pradesh, against Editor, L.N. Star Newspaper 14/472/15-16.
28. Complaint of Shri Sunjjoy Manohar Dhake, Publisher, Kothrud Times, Pune against The Editor, Kothrud Times, Supplement of Maharashtra Times, Bennett, Coleman and CO. Ltd. (BCCL), Pune, RNI and District Magistrate, Pune 14/469/15-16.
29. Ms. Versha Vidya Vilas & Ms. Jyotika Wale, Member, Action for the Rights of the Child (ARC), Vishrantuadi, Pune against the Editor, The Pune Mirror, Pune edition of Times of India (14/233/12-13).
30. Complaint of Dr. Satish Pawar, Maharashtra against the editor, Lokmat, Maharashtra. (14/157/16-17).

- 31 Complaint of Dr. Suneet Soni, Jaipur against the Editors, Rajasthan Patrika, Divya Bhaskar, Dainik Bhaskar, Bhopal Samachar, News 4, Times of India, Hindi Pradesh-18 and RMZ infinity (14/348-355/16-17).
- 32 Complaint of Shri K.P. Singh, President, KsthetriyaGramin Bank, Rajasthan against the editor, Dainik Rashtrdoot (14/449/16-17).
- 33 Complaint of Shri K.P. Singh, President, KsthetriyaGramin Bank, Rajasthan against the editor, Dainik Navjyoti (14/424/16-17).
- 34 Complaint of Shri Surendra Anand, Chatarpur, M.P. against the editor, Raj Express, Chattarpur, M.P. (14/464/16-17).
- 35 Complaint of Shri Rajesh Kumar Chopra, R.K.C. Fans Club, Balod, Chhattishgarh against the editor, 1) Dainik Bhaskar, 2) Nai Duniya 3) Nav Bharat, 4) Patrika and 5) Haribhoomi, Raipur, Chhattishgarh (14/444-48/16-17)
- 36 Shri M.R. Barupal and Shri Pradeep Kumar, Jaisalmer, Rajasthan against the editor, Dainik Bhaskar, Jaipur, Rajasthan (14/487/16-17).
- 37 Complaint of Shri Damodar, President and Shri Rahul, Media Incharge, Maa Narmada Uddahan Samiti, Bistan Shetra, Khargon, M.P. against the editor, Patrika, Indore, M.P. (14/384/16-17).
- 38 Complaint of Shri Yashvir Singh, Gautam Budh Nagar, U.P and Mohd. Khalid, Meerut, U.P against the Editor, Dainik Jagran, Meerut, UP (14/286/16-17).
- 39 Complaint of Shri Pushpraj Singh Baghel, Satna, M.P. against the editor, People's Observer, Satna, M.P. (14/450/16-17).
- 40 Shri Gajendra Pal Singh, Secretary, Shaheed Chandrabhan Smarak Samiti, Mawana, Meerut UP against the Editor, Dainik Jagran, Hindustan, Meerut, UP (14/385-386/16-17).
- 41 Complaint of Shri Jaimendra Kumar, Advocate, High Court, Lucknow against the Editor, Dainik Lokmat (14/388/16-17).
- 42 Complaint of Mohd. Javed, Najibabad, Bijnor, U.P against the Editor, Amar Ujala, Meerut, UP (14/458/16-17).
- 43 Shri Sayed Rizwan Ali, Bhopal, M.P. against the Editor, Parivarik Dastak, Bhopal, M.P. (14/556/16-17).
- 44 Complaint of Shri Sarwat Sharif Khan, Advocate, Bhopal, M.P. against the editor, Parivarik Dastak, Bhopal, M.P. (14/530/16-17).
- 45 Complaint of Shri Ayub Khan, Member, M.P. Waqf Ashikaran, Bhopal, M.P. against the editor, Parivarik Dastak, Bhopal, M.P. (14/531/16-17).
- 46 Complaint of Pandit Onkar Dube, Jabalpur, M.P against the editor, News Trap, Jabalpur, M.P. 14/365/16-17
- 47 Complaint of Shri Somnath Pawar, Gurukul Chhindwara, M.P, against the editor Jabalpur Exrpess Chhindwara.

**Press Council of India**

Sl.No. 1

File No.14/196/16-17-PCI

**Complainant**

Dr. Pallavi Darade, IRS  
Additional Municipal Commissioner, **Vs**  
Municipal Corporation for Greater,  
Mumbai, Mahapalika Marg,  
Mahapalika Bhavan, Mumbai.

**Respondent**

The Editor,  
Mumbai Mirror,  
The Times of India Building,  
Dr. D.N. Road,  
Mumbai-400001

**ADJUDICATION**

**Dated: 21.6.2017**

Dr. Pallavi Darade, IRS, Additional Municipal Commissioner, Brihad Mumbai Corporation, Mumbai filed this complaint dated 11.7.2016 against the editor, Mumbai Mirror, Mumbai alleging publication of false, baseless, concocted and defamatory news item under the caption “*CM’s Ex-Secy’s Wife losing BMC Clout*” in its issue dated 14.5.2016. It is reported in the impugned news item that BMC Commissioner reshuffled Additional Municipal Commissioner, Pallavi Darade’s portfolio for the second time, leaving her in-charge of only License and Removal of Encroachment department after taking away Solid Waste management and Education Departments. Facing backlash from Corporators, cutting across party lines, over the poor performance of Additional Municipal Commissioner, BMC Chief, Shri Ajay Mehta has removed key departments from under her. It is also reported in the impugned news item that the complainant recently came under fire from Corporators for her poor performance in the SWM (Projects).

Denying the allegations levelled in the impugned news item, the complainant submitted that the title of the said article clearly shows the mind of the respondent whose only mission seems to be to tarnish her image and demean her by constantly referring to as Secretary’s wife. The complainant states that repeated use of words like striped, ex-secretary’s wife clearly shows the targeted and malicious attack on a woman by the respondent implying that a woman is not capable of handling such position. The complainant vide letter dated 2.6.2016 drew the attention of the respondent towards the impugned news article with a request to furnish unconditional apology for publication of the defamatory news article on the same page and same prominence within two weeks, but received no response. The complainant requested the Council to take action against the respondent.

Show cause notice was issued to the respondent editor Mumbai Mirror on 22.8.2016.

**Written Statement**

In response to the show cause notice dated 22.8.2016 the respondent, through its Authorised Signatory vide written statement dated 17.11.2016 denied the allegations levelled in the complaint and submitted that the impugned news report is factually correct, carried in good faith, in public interest and without cast any aspersions on Dr. Darad’s previous work experience or competence. The said news was based on Office Order issued by the Municipal Commissioner wherein the portfolios were reshuffled and some key portfolios held by the complainant, Additional Municipal Commissioner Dr. Pallavi Darade were removed and given to other Additional Municipal Commissioner. He further stated that the due efforts had been made to get her version but despite their best efforts, the complainant did not respond. The respondent also submitted that the issue was that portfolios of several officers of MCGM were changed and along the Additional Municipal Commissioners, only the complainants portfolios were removed while the other four additional Municipal Commissioners got additional departments that were taken away from the complainant and it was a matter of public record. He further stated that the said news report does not mention any anti-feminine word and no

deliberate attempt has been made to create any sort of distortion to create misunderstanding in the minds of the people, as alleged by the complainant. The complainant added that the said news report in no way attributes or even suggests that the complainant's portfolios were removed because she was a woman.

A copy of the written statement was forwarded to the complainant vide letter dated 14.12.2016

### **Counter comments**

In response to written statement, the complainant, Dr. Pallavai Darade vide her counter comments dated 13.1.2017 while reiterating her complaint submitted that the reply filed by the respondent paper is neither verified or affirmed by the answering respondent. Further, the main aim in the news is for defaming the complainant and creating a controversy to increase paper's circulation by hook or by crook. The complainant further submitted that there is not a single explanation as to how the defamatory and misogynist terms used in the said articles reflect the standard of honest journalism and ethical and professional practices. The complainant prayed for appropriate action against the respondent.

A copy of the counter comments forwarded to the respondent on 7.2.2017 for information.

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

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad, Telangana. Shri Pallav Shishodia, Senior Advocate and Shri Anand Sukumar, Advocate appeared for the complainant whereas there was no representation on behalf of the respondent.

The Inquiry Committee has heard Mr. Sisodiya for the complainant. Despite service of notice, respondent has not chosen to appear. The Inquiry Committee has perused the complaint, the written statement, rejoinder and all other connected papers and is of the opinion that the respondent newspaper while publishing the impugned news item has not committed any breach of the journalistic ethics, so as to call for action 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 decides to dismiss the complaint.

### **Press Council of India**

Sl.No. 2

F.No.14/364/16-17-PCI

#### **Complainant**

Mr. Nalini N Nayak  
Retired Register Income  
Tax Appellate Tribunal  
Former Judicial Magistrate 1<sup>st</sup> Class  
Mumbai

#### **Respondent**

The Editor,  
The Times of India,  
Bhubaneswar.

### **ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 6.9.2016 has been filed by Shri Nalini N Nayak, Mumbai against the editor, Times of India, Bhubaneswar for publication of an allegedly wrong information in the news item in its issue dated 7.7.2016 under the caption "*Keonjhar girl becomes first lady pilot from state*". It is reported in the news item that Shelbi Mishra is act to become the first lady pilot from the state with 400 hours of flying experience, Mishra started her career with the Air Asia recently after completing two years of rigorous training in the US. It is also reported in the impugned news item that her father Shri Bipin Mishra, a Mumbai based businessman sent her to US for fulfilment of her dream.

The complainant stated that the impugned news item is factually incorrect. The first woman pilot was Ms.Giriwala Mohanti who obtained the private pilot license first and followed with the elite daughter of a Hindol Raj, Ms. Nalini. Thereafter he cited the case of his daughter Geetanjali Nayak qualifying in 1992. The complainant stated that in 1993 the Times of India, Bhubaneswar published a news story on his daughter Ms. Geetanjali reporting that "*She is the first Oriya woman to obtain a commercial pilots license from both India and abroad for single, multiple and instrument lands of different aircraft.*" The complainant drew the attention to the respondent towards the wrong reporting and requested him to correct their misreport suitably though a subsequent report.

The Times of India, Bhubaneswar editor, after due enquiry wrote subsequently in its issue dated 7.7.2016 as follows: "Geetanjali Nayak (now Parlekhar), one of the first two women commercial pilots from Odisha, said but for the scholarship she could realise her dream of flying as a career. Geetanjali, who got his commercial pilot license in 1992, is currently flying with Jet Airways in different International sectors out of Mumbai."

The complainant stated that the Times of India, Bhubaneswar edition nowhere in above news report regretted the earlier wrong reporting and left friends and relatives of Ms.Geetanjali are in confused state about the truth and this has resulted in her mental suffering for no fault of hers. He has requested the Council to take action against the respondent.

A Show Cause Notice was issued to the respondent editor, The Times of India on 26.10.2016 but no response has been received.

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

The matter came up for hearing before the Inquiry Committee on 14.3.2017 at Hyderabad, Telangana. The complainant, Shri Nalini N.Nayak appeared personally whereas there was no appearance on behalf of the respondent.

The complainant is aggrieved by a news item published in the Bhubaneswar issue of the Times of India, in which it has been stated that Shelbi Mishra is the first woman-pilot from the State of Odisha. It is the plea of the complainant that the aforesaid news is absolutely incorrect and, in fact, his daughter, Gitanjali Nayak was the first Oriya woman-pilot. His further plea is that he wrote to the respondent newspaper to correct the mistake and admit its fault. The respondent, The Times of India, thereafter came out with further story on the said news which included reference to his daughter but has not admitted the mistake.

Despite service of notice to the respondent, it has not chosen to appear nor filed its show cause. The Inquiry Committee has heard the complainant and perused the complaint and all other connected papers. At this stage it is apt to reproduce Norm No. 13 of Norms of Journalistic Conduct framed by the Council, same reads as follows: "*When any factual error or mistake is detected or confirmed, the newspaper should suo-motu publish the correction promptly with due prominence and with apology or expression of regrets in a case of serious lapse.*"

The Inquiry Committee directs the respondent newspaper to publish corrigendum to admit its incorrect statement that Shelbi Mishra was the first lady plot from the State; instead the Geetanjali Nayak was the first woman-pilot from the State of Orissa. The Inquiry Committee is further of the

opinion that the conduct of the respondent newspaper in not admitting, its mistake is reprehensible and it accordingly recommends for **Censure** the Bhubaneswar edition of The Times of India. The Inquiry Committee, accordingly upholds the complaint with the aforesaid directions. (Order be communicated to DAVP/RNI/State I&PRD only.)

The Inquiry Committee, accordingly, recommends to the Council to uphold 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 uphold the complaint and Censure the newspaper. A copy of the adjudication be forwarded to the DAVP etc. for appropriate action.

**Press Council of India**

Sl.No. 3

F.No.14/226/16-17-PCI

**Complainant**

Shri N. Ravi Kiran  
Secunderbad

**Respondent**

The Editor,  
Eenadu, Hyderabad  
Telangana/Andhra Pradesh

**Adjudication**

**Dated : 21.06.2017**

This complaint dated 31.07.2016 has been filed by Shri Narayana Ravi Kiran who claims himself to be a responsible reader who had voiced against an alleged impugned news item published by one of the leading dailies of Telangana state 'Eenadu' a Telegu daily, caption in English read as "**Sitting long hours is nothing short of smoking**" (however the complainant has filed to submit translated version of the article and his initial). The complainant submitted that as a regular follower of Eenadu with reference to an article published, he has submitted his feedback/grievance vide email dated 09.10.2015 stating that the news items contains untrue facts and are not verified. However, instead of looking into the matter, the respondent newspaper revealed his identity to his employer consequently the complainant was at the verge of losing his job, hence he wrote another email dated 20.07.2016 giving an explanation to the respondent newspaper. The complainant submits that instead of tackling a mistake, the respondent newspaper chose to reveal the name of the complainant which is against the journalistic ethics and had requested the Council to look into the matter and enquire whether the facts stated in the alleged impugned news item really exists or not and to take necessary actions against the respondent newspaper for their irresponsible attitude towards readers.

A Show Cause Notice issued to the respondent either, Eenadu, Hyderabad, Andhra Pradesh on 30.08.2016

**Written statement filed by the respondent**

In response, the respondent vide written statement dated 03.10.2016 through the Sr. Manager-Legal submitted that the article in question is general in nature, based on enquires and research made by a reporter which supports to highlight one of the solutions to tackle the ill effects of sedentary jobs which is said to have been successfully deployed by a company named Wells Fargo India Solutions at Hyderabad. The respondent informs that the news items discusses three issues as stated.

1. Fifty four percent health problem result from long sitting.
2. IT companies looking for solutions, and
3. Standing zones established to provide relief to employees.

The written statement states that the journalist has published the article after collection information regarding how Wells Fargo India Solutions (WFIS) had taken measures to encourage employees to partake meetings in standing position so as to reduce the ill effects of sedentary jobs and the same has been well appreciated by one and all and even the company about which the story was written had not disputed the facts which depicts that the facts are not untrue. The editor has also stated that as the mail was sent to the feedback team it was not considered as a complaint and rather a feedback and did not reach the Editor and also the veracity of the story was enquired into by the Senior Staff and was found to be correct and only after eight months when the complaint was filed

with the PCI he has received it which states that revealing the name of the complainant to his employer is unethical. The editor, through the legal team has submitted that the facts given in the alleged impugned news item are the information which has been shared by the Chief Administrative officer of the company and even his photograph has been published with the news item and he himself did not object to it. However, on receiving a complaint/feedback from an employee of the same company disputing the information given by an authorised representative of WFIS it became important for the newspaper to cross check the validity of the shared information with the management of WFIS. And even the Reporter, Shri Upputuru Sreenivasulu, has submitted a Declaration that the article is factual and based on personal enquires made by him and does not contain false information.

### **Counter Comments**

In response to the written statement, the complainant submitted an undated statement requesting the Council to appoint a third party team to analyse and investigate the matter and then the actual truth will come out and he sticks to his earlier statement.

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

The matter came up for hearing before the Inquiry Committee on 15.03.2017 at Hyderabad, Telangana. The complainant was not appeared whereas Shri G.V.S Jagannadha Rao, Advocate represented for the respondent.

Despite service of notice, the complainant has not chosen to appear. In fact he has written to the Council to decide the case at the earliest. Respondent is present. The Inquiry Committee has perused the complaint, the written statement, the counter comments and all other relevant records, The Inquiry Committee has heard Shri G.V.S Jagannadha Rao, Advocate on behalf of the respondent. In the facts and circumstances of the case, the Inquiry Committee is of the opinion that the respondent newspaper has not violated any journalistic ethics, so as to call for action 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 decides to **dismiss** the complaint \_

**Press Council of India**

Sl.No. 4

File No.14/291/16-17-PCI.

**Complainant**

Shri Nakka Ananda Babu,  
M.L.A., 89-Vemuru Constituency, &  
Chairman,  
Committee on Welfare of Minorities,  
Andhra Pradesh Legislative Assembly,  
Hyderabad.

**Respondent**

The Editor,  
Sakshi, Telugu Daily,  
Guntur District.

**ADJUDICATION**

**Dated: 21.6.2017**

This undated complaint, received in the Secretariat of the Council on 26.9.2016, has been filed by Shri Nakka Ananda Babu, M.L.A., 89-Vemuru Constituency, Hyderabad against "Sakshi", Telugu daily, Guntur edition alleging publication of false, fabricated and defamatory news items under the captions "*Jackals Grabbed Kuglar Site*" and "*Gulam to Jackals Round to ground, Key role of MLA*" in its issues dated 6.8.2016 and 7.8.2016 respectively. (Translation provided by the complainant)

It was reported in the impugned news item dated 6.8.2016 that the MLA of TDP from Guntur grabbed land cheaply and earned crores of rupees. It was further reported that the MLA with his ruling power tried to grab the properties of Church at cheaper rates. The Christian association elders informed that the complainant is behind it and trying to grab other properties also.

In the second impugned news item dated 7.8.2017 it was reported that the Corporation has not touched the site of the Church during expansion of road which was appended towards Gunta Ground. It was further reported that the Church Council passed a resolution to allow 12 ft. in the site of Gunta Ground for road expansion but the Corporation expanded the road 22 ft towards Gunta ground. The elders of the Church reported the matter to the Government but no action has been taken. It was also reported that ruling party people, specially complainant indirectly have taken over the church sites and has caused crores of rupees loss to church.

Denying the allegations levelled in the impugned news items, the complainant alleged that the news items contains several false and baseless averments and published without pre-publication verification. The complainant further alleged that the impugned news items are glaring cases of incorrect reporting of the proceeding of the Government and the same were published with a malafide intention to adversely affect and impact the free and fair administration and have caused immense loss of goodwill, reputation in the general public, as well as in political circle.

The complainant drew the attention of the respondent on 6.9.2016 with a request to publish an unconditional apology but received no response. He has requested the Council to take necessary action against the respondent.

Show-cause Notice was issued to the respondent-Editor, Sakshi Daily on 6.10.2016. The complainant was advised to file Declaration regarding non-pendency of the matter in any court of law but, did not do so.

**Written Statement of Sakshi Daily**

The respondent-Editor, Sakshi daily (Jagati Publication Ltd.) vide his written statement dated 29.10.2016 informed that on the same subject matter, Police Station-Arundulpet registered an FIR in Crime No.236/2016 dated 10.8.2016 against the Editor of Sakshi, Editorial Director and all Directors of Jagati Publication Limited including the Non-Executive Chair Person of the Company. The respondent further informed that they have approached the Hon'ble High Court at Hyderabad challenging the prosecution initiated by the complainant in W.P. No.31062/2016 and the Hon'ble Court by its interim Order dated 19.9.2016 in WPMP No.38440/2016 in WP No.31062/2016 granted stay of all further proceedings in pursuance of the impugned FIR No.236/2016. The complainant (Sh. Nakka Ananda Babu) is arrayed as Respondent No.4 in the said WP. The respondent informed that the subject matter of the complaint before the Press Council is same and substantially an issue before the Hon'ble Court and thus the matter is sub-judice and a 'matter pending in a court of law' for the purposes of Section 14(3) of the Press Council Act. He has requested the Council to drop further proceedings in respect of the instant inquiry.

A copy of the written statement was forwarded to the complainant on 27.12.2016 to intimate whether the matter is pending before the court of law but no response was received from him.

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

The matter came up for hearing before the Inquiry Committee on 14.3.2017 at Hyderabad, Telangana. The complainant was not present whereas Shri R.Dileep Reddy, Executive Editor, Sakshi, Daily Newspaper appeared for the respondent.

Despite service of notice, the complainant has not chosen to appear. The respondent is represented. From perusal of the record, it is apparent that the matter is sub-judice. In that view of the matter, the Inquiry Committee is not inclined to proceed in the matter any further.

The Inquiry Committee, accordingly, recommends to the Council for dismissal of the complaint being sub-judice.

### **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 for being sub-judice.

**Press Council of India**

Sl. No. 5

F.No.14/742/14-15-PCI

**Reference received from Election Commission of India against Editor Tamil Murasu for allegedly publishing Paid News during General Elections-2014 in the garb of news**

**Adjudication**

**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter No.491/Paid News/LA-2014/911 dated 1.12.2014 has referred cases of paid news reported during (Tamil Nadu) General Election 2014 for taking action against the Editor Tamil Murasu, Madurai, Edition. The details of news items published in newspaper are as follows:

<b>S. No.</b>	<b>Name of the candidate and party affiliation to whom Notice issued in Paid News case</b>	<b>Title of the News items</b>	<b>Name of the newspaper/broad cast media and date of publication</b>	<b>Cost of said news item and per DIPR/DAVP rates that accounted</b>
1	SP Durairaj-DMK	New flyover will be constructed special interview	Tamil Murasu dated 9.4.2014	Rs.12600.00
2	PR Senthilnathan ADMK	What are the implementation of schemes Special interview	Tamil Murasu dated 15.4.2014	Rs.9,600.00
3	Thiru Pongalur N Palanisamy, DMK	Welcome to Sengathire Sangath Tamizhe for Kogumandalam	Tamil Murasu dated 5.4.2014	Rs.9,000.00
4	Thirju Pongalur N Palanisamy,DMK	AIADMK Shrinking of small industries	Tamil Murasu dated 5.4.2014	Rs.4,800.00
5	Thiru Ganesh kumar, DMK	AIADMK Shrinking of small industries	Tamil Murasu dated 5.4.2014	Rs.4,800.00

It is reported in the impugned news item that DMK candidate, Mr. Durairaj for Sivaganga Parliamentart Constituency informed that he would establish new industries in Sivaganga Constituency. He gave a special interview in the midst of active campaign. It is further reported in other impugned item that AIDMK candidate for Sivaganga Parliamentary Constituency has listed the schemes to be implemented by him in Sivganga if is he elected. In another impugned news item it has been reported that one leader Kalaigner started his political career in Coimbatore. He worked in media in Salem city and then worked in Kudiarsu Magzine published by E.V. Ramasamy. Pongalur N. Palanisamy in contesting in Pollachi Parliamentary Constituencies. Supporters are working for his victory.

**No Written Statement**

Show Cause Notice was issued to the respondent on 13.2.2015 and time bound reminder dated 28.3.2016 to the respondent but received no response.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 14.3.2017 at Hyderabad. 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 1.12.2014 received from Election Commission of India, New Delhi forwarded the report of confirmed case of paid news against inter-alia the newspaper 'Tamil Murasu, Madurai, Edition' in its various issues.

The Council has laid down principles for adjudication of paid news which is as follows:

*"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. It 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 on election authorities is 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. 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.*

*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."*

The Inquiry Committee has perused the impugned news item published in Tamil Murasu, Madurai, Edition. It is simultaneously seized of another reference against 'Dinakaran' Madurai edition in case number 14/741/14-15-PCI for publication of reports similar to these impugned in the case in hand. The Inquiry Committee has noted that the reports in his publications almost a verbatim reproduction of each other, despite being separate entities. Bearing in mind the aforesaid principles, the Inquiry Committee has proceeded to consider the impugned news items. The Inquiry Committee is satisfied that the impugned news item constitutes paid news.

The Inquiry Committee, accordingly, recommends that the newspaper 'Tamil Murasu', 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 decided to **Censure** the respondent newspaper, Tamil Murasu, Madurai Edition, Chennai. A copy of this order be forwarded to the District Magistrate, Madurai, the Director, Information & Public Relation Department, Govt. of Tamil Nadu, the Director General, DAVP and the Election Commission of India for necessary action at their end.

**Press Council of India**

Sl. No. 5 (a)

F.No.14/741/14-15-PCI

**Reference received from Election Commission of India against Editor Dinakaran for allegedly publishing Paid News during General Elections-2014 in the garb of news**

**Adjudication**  
**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter No.491/Paid News/LA-2014/911 dated 1.12.2014 forwarded cases of paid news reported during (Tamil Nadu) General Election 2014 for taking action against the Editor, Dinakaran, Madurai edition. The details of news item published in newspaper are as follow:

S.No.	Name of the candidate and party affiliation to whom Notice issued in Paid News case	Title of the News items	Name of the newspaper/broadcast media and date of publication	Cost of said news item and per DIPR/DAVP rates that accounted
1	SP Duraijaj-DMK	I will establish new industries special interview	Dinakaran dated 9.4.2014	Rs.18240.00
2	PR Senthilnathan ADMK	What do work for constituency –special interview	Dinakaran dated 15.4.2014	Rs.21,600.00
3	Thiru K Ganeshkumar,DMK	Dinakaran dated 21.4.2014		Rs.5,625.00
4	ThirjuPongalur N Palanisamy	Achievements of DMK remime in Health sector	Dinakaran dated 21.4.2014	Rs.5,625.00

It is reported in the impugned news items that DMK candidate, Mr. Durairaj for Sivaganga Parliamentart Constituency informed that he would establish new industries in Sivaganga Constituency. He gave a special interview in the midst of active campaign. It is further reported in other impugned item that AIDMK candidate for Sivaganga Parliamentary Constituency has listed the schemes to be implemented by him in Sivganga if he is elected in elections. In another impugned news item it is reported that the Vice President of the State DMK Doctors wing, Dr. Gokul Kiruba Sankar has said that Kalaingar Insurance Scheme was implemented during the DMK regime and treatment was given in all Government and private hospitals.

**No Written Statement**

Show Cause Notice was issued to the respondent on 2.2.2015 and time bound reminder dated 28.3.2016 but received no response.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 14.3.2017 at Hyderabad. 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 1.12.2014 received from Election Commission of India, New Delhi forwarding the report of

confirmed case of paid news inter alia against the newspaper 'Dinakaran, Madurai edition' in its various issues.

The Council has laid down principles for adjudication of paid news which is as follows:

*“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. It 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 on election authorities is 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. 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.*

*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.”*

The Inquiry Committee has perused the impugned news item published in 'Dinakaran', Madurai Edition. It is simultaneously seized of another reference against 'Tamil Murasu' in case no. 14/742/14-15-PCI for publication of similar to the reports impugned in the case in hand. The Inquiry Committee has noted that reports in the two newspaper on a verbatim reproduction of each other despite being separate entities. Bearing in mind the aforesaid principles, the Inquiry Committee has proceeded to consider the impugned news items. The Inquiry Committee is satisfied that the impugned news item constitutes paid news.

The Inquiry Committee, accordingly, recommends that the newspaper 'Dinakaran, 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 decided to **Censure** the respondent newspaper, Dinakaran, Madurai Edition, Chennai. A copy of this order be forwarded to the District Magistrate, Madurai, the Director, Information & Public Relation Department, Govt. of

Tamil Nadu, the Director General, DAVP and the Election Commission of India for necessary action at their end.

**PRESS COUNCIL OF INDIA**

Sl. No. 6

F.No.14/429/16-17-PCI

Dr. Sheetal Kumar J. Patil  
Trustee, Dr. J.J. Magdum Trust  
Jaysingpur.

The Editor,  
APRATIM,  
Jaysingpur.

**Adjudication**  
**Dated 21.6.2017**

This complaint dated 18.11.2016 has been filed by Dr. Sheetal Kumar J. Patil, Trustee, Dr. J.J. Magdum Trust, Jaysingpur, Kolhapur, Maharashtra against the editor, Apratim, Jaysingpur for allegedly publishing series of baseless and defamatory news articles as follows:

<b>S. No.</b>	<b>News Item</b>	<b>Dated</b>
1.	Jaysingpur City Ready to Hit Educationists; Wall Built on Main Road	5.11.2016
2.	Whether the Application of Election Candidate Mrs. Sonali Magdum will be Accepted or Rejected?; Matter in Court Use of Education Institutions for Political Gain; The Money Earned through Excessive Donations Will Be Used to Play Political Game	6.11.2016
3.	Fear from Educationists who loot students and still proceeding to Loot Jaysingpur Citizens	8.11.2016
4.	The Verdict on Election Candidate Application of Adv. Sonali Magdum in High Court	9.11.2016
5.	Why Arrest noble man on the very occasion of his birthday and who behind the cruelty? College students in Election Campaigning in Ward 06	15.11.2016
6.	Use of Donation Money in Election Campaigning	16.11.2016

It is reported in the impugned news items that Mrs. Sonali Vijay Magdum used educational premises, money earned through illegal ways (donations) for political gains. It is also reported that she used principals, teachers, students and school machinery for elections campaigning as she is contesting election for municipal corporator.

Denying the allegations levelled in the impugned news items the complainant submitted that Mrs. Sonali V. Magdum is contesting election at her own. Their educational institutions and their resources were never used for any personal benefit or even political gains by their trustees in last 39 years in the history of their Trust and will also never be used in future. The complainant vide letter dated 16.11.2016 drew the attention of the respondent editor towards the impugned publication and requested him to tender unconditional apology, but received no written statement has been filed.

**No Reply**

Show Cause Notice was issued to the respondent Editor Apratim, Maharashtra on 15.12.2016 but no response was filed.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 14.3.2017 at Hyderabad. Despite service of notice, neither the complainant nor the respondents have chosen to appear. The

Inquiry Committee is not inclined to proceed further in the matter. It, accordingly, recommends for dismissal of 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 case.

## Press Council of India

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Sl.No. 7

File No.14/375/16-17-PCI.

### **Complainant**

Prof.VipinSrivastava,  
Professor of Physics and  
Pro-Vice Chancellor,  
University of Hyderabad,  
Hyderabad.

### **Respondent**

The Editor,  
The Times of India,  
Hyderabad.

### **ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 20.10.2016 has been filed by Prof.Vipin Srivastava, Profession of Physics and Pro-Vice Chancellor, University of Hyderabad, Hyderabad against “The Times of India”, Hyderabad edition for allegedly publishing series of defamatory news items against the University of Hyderabad. The captions and dates of the impugned news items read as follows:-

<b>S.No.</b>	<b>Captions</b>	<b>Dates</b>
1	Shoddy Upkeep Mars UoH	26.12.2015
2	University faculty divided over students protest	27.3.2016
3	UoH students demand fee rollback	5.5.2016
4	Student flag UoH the vacant seats	13.8.2016
5	Hostel worries have to stay for UoH students	15.8.2016
6	Protests rock UoH campus over JNU Activist’s Treatment and suspension of five security officials student leader called ‘trespassers’	13.10.2016
7	Umar visit puts Uoh on boil again	13.10.2016 (Delhi edition)

The complainant alleged that on numerous occasions the respondent-newspaper reported about the University without verifying the facts and thereby has been maligning the image of the University of Hyderabad. According to the complainant, the rejoinders sent by the University are being ignored as a rule. Concerned about the possible reasons for the negative campaign carried out by the respondent-Times of India about the University, they met the Resident Editor, The Times of India at Hyderabad many times but to no avail. The complainant submitted that the respondent lifted the material from Facebook and other social media or anonymous sources, selectively that pertain to some petty issue on the campus and published them prominently. The complainant further submitted that the news given by selected individuals gets utmost priority leaving aside the press release given by the University. The complainant also submitted that they sent various rejoinders which were never published by the respondent even in parts. He has requested the Council to take action against the respondent.

Show-cause notice was issued to the respondent-editor, The Times of India, Hyderabad on 9.11.2016.

### **Written Statement of Times of India**

The respondent-The Times of India vide its written statement dated 8.2.2016 while denying the allegation has stated that the impugned news items are factually correct, carried in good faith, in public interest, based on information derived from the reliable sources including the staff of the University, students of the university. According to the respondent, the impugned news articles will reveal that they do not make any allegations, imputations or innuendo whatsoever against the complainant or any other person/entities including the University, therefore, the complainant’s

grievances are unjustified. The respondent further stated that the impugned news articles deals with the very important matter of the greater public concern which simultaneously revolves around students' right to education along with their rights to have clean and safe hostel accommodation, proper utilisation of public funds for the University construction etc. The respondent has also stated that the complainant has no locus standi in this matter as the impugned articles were public in the greater public interest to achieve and protect public welfare and in pursuance to Article 19(1) of the Constitution of India. According to the respondent, there was no intention whatsoever to defraud or bring disrepute to anyone, more particularly to the complainant and/or the University. The respondent has requested the Council to dismiss the complaint.

A copy of the written statement of the respondent-Times of India was forwarded to the complainant on 15.2.2017 for information.

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

The matter came up for hearing before the Inquiry Committee on 14.3.2017 at Hyderabad, Telangana. The complainant, Prof. Vipin Srivastava was present whereas there was no appearance on behalf of the respondent paper.

The complainant appears in person. The respondent has filed its written statement but has not chosen to appear. In the facts and circumstances of the case, the Inquiry Committee gives liberty to the complainant to give its version to the respondent newspaper. The respondent newspaper shall publish the same after necessary editing with further liberty to state its view point. The complainant shall give its version within two weeks. The respondent shall publish the same within two weeks thereafter, bearing in mind the directions aforesaid. The Inquiry Committee while taking this view has taken note of the grievance made by the complainant that the rejoinder sent by the University has been ignored by the respondent newspaper as a rule. The Inquiry Committee recommends for disposal of the complaint with the directions aforesaid.

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

### **Held**

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

**Press Council of India**

Sl.No. 8

F.No.14/268/16-17-PCI

**Complainant**

Shri Baskaran,  
President,  
Puducherry Development Party,  
No.51, Second Cross, Selva Nagar,  
Uruvaiyar, Puducherry

**Respondent**

The Editor  
Junior Vikatan  
Tamil Weekly

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 12.08.2016 has been filed by Shri S. Baskaran, President, Puducherry Development Party against the Editor, Junior Vikatan alleging publication of a defamatory article about the Union Territory of Puducherry under the caption “***Puducherry Police Earns Lakhs through Prostitution***”.

In the impugned news item outlining the *modus operandi* of the operation, it is contended that *Puducherry may well be announced as capital of prostitution in the next few days. Prostitution has become culture of the Pudcherry which has French culture. As the cost of liquor is lower, Puducherry has become an evergreen choice for the drinking people who come from Chennai and Bengaluru. The city is fully filled by them in the weekends. A brokers team focusing those people and run prostitution through poor girls.*

According to the complainant the news item hurts the sentiments of people of Puducherry as it directly means that entire Puducherry State is like that. It is the responsibility of the Police department to take action on these kind of illegal activities. The respondent has no right to portray people of Puducherry in bad light by disgracing it as capital of prostitution. The complainant vide letter dated 10.08.2016 and 3.9.2016 drew the attention of the respondent towards impugned publication with a request to publish apology for using such words, but received no response. He requested the Council to take strong action against the respondent.

A Show Cause Notice was issued on 15.12.2016 to the respondent editor, Junior Vikatan but no response has been received.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad, Telangana. Shri S.Baskaran, the complainant was present whereas there was no appearance on behalf of the respondent.

Adjournment request of the respondent is taken on record. The Inquiry Committee has heard the complainant and perused the complaint and all the connected papers and is of the opinion that it is the duty of the press to shed light on dark spots. The respondent newspaper has not committed breach of any journalistic ethics so as to call for action by the Council.

The Inquiry Committee, accordingly, recommends to the Council 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. 9

F.No.14/317-323/16-17/PCI

**Complainant**

Shri Karanam Chiranjeevulu  
S/o late Shri Lingaiah,  
Senior Civil Judge,  
Mangalagiri, Guntur District,  
Hyderabad

**Respondent**

1. The Editor, Andhra Bhoomi
2. Deccan Chronicle
3. Andhra Prabha
4. Prajasakthi
5. Andhra Jyoti
6. Sakshi and
7. Eenadu

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 8.9.2016 has been filed by Shri Karanam Chiranjeevulu, Senior Civil Judge, Malkangiri, Guntur District against various newspapers objecting to the following news items as detailed herein below :

Sl. No.	Caption	Name of the Newspaper/Date
1	Malkangiri Sub-Judge has been suspended Corruption charges are the basis for suspension	Andhra Bhoomi 12.8.2016
2	Sub-Judge suspended	Deccan Chronicle 12.8.2016
3	Malkangiri Sub-Judge Suspended	Andhra Prabha 12.8.2016
4	Senior Sub-Judge 'Karnam' Suspended	Prajasaksthi 12.8.2016
5	Malkangiri Senior Civil Judge Chiranjeevulu has been suspended	Andhra Jyothi 12.8.2016
6	Malkangiri Senior Civil Judge has been suspended	Sakshi 12.8.2016
7	Malkangiri Senior Civil judge Chiranjeevulu has been suspended	Eenadu 12.8.2016

It is reported in the impugned news reports that High Court of Judicature for the State of Telangana and the State of Andhra Pradesh has suspended the complainant, Shri Chiranjeevulu, Sub-Judge, Malkangiri on charges of corruptions made against him while he was working as Sub-Judge in Nandigama, Krishna District. It is also reported in the impugned news items that High Court has made diligent investigation after receiving the complaint against him and he has directed Principal District Judge Sumanlatha to issue suspension order to him after the allegations have been proved beyond reasonable doubt.

Denying the allegations levelled in the impugned news items the complainant submitted that the respondents published false and defamatory articles to damage his reputation in the society at large and in his relations. He has also submitted that the respondents not only published defamatory statements in local papers but also in main editions without trying to know what exactly the truth is and neither did they take his version before publishing the impugned news item nor they sought information from the Hon'ble high Court in this regard. The complainant vide letter dated 29.10.2016 drew the attention of the respondents towards the impugned publication and requested them to take

action against the reporters who filed false reports without knowing the truth. He has requested the Council to take action against the respondents.

Show Cause Notice was issued to the respondent editors, Andhra Bhoomi, Deccan Chronicle, Andhra Prabha, Prajasakthi, Andhra Jyothi and Eenadu on 27.12.2016.

#### **Written Statement of Andhra Bhoomi**

In response to the Show Cause Notice, the Editor, Andhra Bhoomi, vide letter dated 20.1.2017 stated that the impugned publication is based on the true facts wherein the Hon'ble High Court of Hyderabad has issued suspension order against the complainant on the ground of "guilty of grave misconduct." The report was based on the information as released by the High Court vigilance and as provided by his local legal correspondent and published the same in good faith.

A copy of the written statement was forwarded to complainant on 7.2.2017 for information and comments, if any.

#### **Written statement of Eenadu**

The respondent editor, Eenadu vide his written statement dated 6.2.2017 submitted that he has gone through the complaint and found that the allegations in the complaint are false and vexatious and there are no merits in the complaint. He has submitted that the impugned publication is a factual report on suspension of a Civil Judge of Senior Division basing on the order issued by the Vigilance Cell of the High Court of judicature at Hyderabad for the State of Telangana and State of Andhra Pradesh. He has further submitted that the complainant himself has filed the order of the suspension which clearly shows that the news report published in their newspaper merely reported the contents of the suspension order. He has also submitted that suspension of judicial officer is a matter of public concern and as such the impugned news item was published only in public interest for public good without any malice, ill will or intention to defame the complainant. The impugned publication was made in routine course and there is no malice against the complainant.

A copy of the written statement was forwarded to the complainant on 22.2.2017 for information.

#### **Written statement of Sakshi**

In response to the Council's Show Cause Notice dated 27.12.2016 the respondent editor, Sakshi vide written statement dated 17.1.2017 submitted that the news was published on the proceedings issued by the Hon'ble High Court. The publication of the said news item is carried in good faith without any malice, motive or ill will and the publication is in regard to a true fact and the same is published with an intention to bring the truth to the knowledge of the public.

A copy of the written statement was forwarded to the complainant on 22.2.2017 for information.

#### **Counter comments**

The complainant vide counter comments dated 6.3.2017 submitted that the contents of written statements filed by the respondents are all false, invented and concocted and be put strict proof of allegations. The respondents admitted that the suspension is on the ground of guilt of grave misconduct but the matter is at the end of pre-cognizance. According to the proceedings in ROC 700/2015, vigilance cell dated 11.8.2016, the suspension is on the ground of public interest whereas all the respondents published that he was suspended on corruption allegations without verifying with him. Grave misconduct is entirely different from that of corruption. The respondents did not attach the copy of source of information received from the High Court along with the written statement. The complainant requested to take action against the respondents.

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

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad, Telangana. Shri P.Nagendra Reddy appeared on behalf of the complainant and Shri G.V.S. Jagannadha Rao, Advocate appeared on behalf of the respondent editor, Eenadu.

The Inquiry Committee has heard the complainant and the counsel for the Eenadu. The Inquiry Committee has perused the complaint, the reply and all connected papers and is of the opinion that the impugned news items are based on an Order passed by the High Court on the Administrative side. The Inquiry Committee is of the opinion that the respondent newspapers have not breached any code of conduct, so as to call for action 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 decides to dismiss the complaint.

**Press Council of India**

**Sl.No. 10**

**File No. 14/431/16-17-PCI**

**Complainant**

Shri Ramakant Pandey,  
Shri Bansidhar Aggarwal,  
Model School, 290/271,  
Wadala, Mumabi-400031.

**Vs**

**Respondent**

The Editor,  
Dakshin Mumbai

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 11.11.2016 received in the Secretariat of the Council on 29.11.2016 has been filed by Shri Ramakant Pandey, Mumbai against the editor, Dakshin Mumbai alleging publication of false, baseless, incorrect, unverified news item in its issue dated 19.09.2016 under the caption “ घूस दे, फैसला हक में ले”. It is reported in the impugned news item that a teacher who is State Awardee, prepares reports in favour of the person who gives him bribe. It is also reported in the impugned news item that the Bombay High Court in its order raised question on the irresponsible conduct of the complainant. The news item also stated that whenever a school/college principal accused of wrong doings their school management constitute an inquiry committee comprising of three persons viz. one State Awardee teacher, second nominated from school management and third, nominated from the side of accused teacher, to investigate the matter.

According to the complainant, the news item is totally false and based on wrong information. The complainant also submitted that the respondent has not tested the veracity of the facts. He further stated that he always maintains dignity of law and it is not correct that he has given report by accepting bribe. The complainant also submitted that due to publication of the impugned news item his reputation is lowered in the eyes of his relatives, friends, headmasters and teachers. The complainant vide letter dated 11.11.2016 requested the respondent to publish unconditional apology in the same manner on the same page, but received no response. He has requested the Council to take appropriate action in the matter.

Show Cause Notice was issued to the respondent editor, Daskshin Mumbai on 20.12.2016

**Written Statement**

The Editor, Dakshin Mumbai vide letter dated 05.01.2017 filed written statement stating therein that the complaint filed by Shri Ramakant Pandey is false and frivolous. Shri Ramakant Pandey has misled the Council. The respondent said that his correspondent has verified entire facts against the complainant and thereafter published the news in Dakshin Mumbai.

He has further stated that he has gathered sufficient proof against the complainant, and pointed out that the Honourable High Court Bombay has also observed in its Judgement in writ petition 6199 of 2016 that learned Convenor and the State awardee teacher were not aware of their role, duties and obligations while conducting inquiry and had acted totally contrary to the basic principles of law, justice and good conscience and in most irresponsible manner, the management accepted such perverse recommendation of such inquiry Committee without application of mind and took drastic action of termination of the services of the respondent and the complainant has not disclosed his matter to the Council. An offence also has been registered under the SC/ST Atrocities Act against the complainant. The respondent prayed to the Council that the complaint against Dakshin Mumbai may be dismissed with heavy cost.

A copy of the written statement was forwarded to the complainant on 12.1.2017.

### **Counter comments**

In response to the respondent's written statement dated 05.01.2017, the complainant vide letter dated 11.01.2017 addressed to the editor, Dakshin Mumbai and copy endorsed to the Council submitted that they published false, fabricated stories and relying upon the wrongful version of some union members who had earlier given wrong news. The complainant is not satisfied with the written statement of the respondent.

The complainant vide further communication dated 1.3.2017 while reiterating his complaint submitted that the impugned news article is published with the connivance of disgruntled miscreants against whom action has been taken by their respective managements. In this regard, the media should act responsibly and not indulge in character assassination of a person who has been working in quasi judicial committees as per law. He further mentioned that commenting on the report of the Inquiry Committee amounts to contempt of court. The complainant prayed to take action in accordance with law.

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

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad, Telangana. There was no appearance either from the complainant or the respondent side.

Despite service of notice, the complainant has not chosen to appear nor is the respondent present. The Inquiry Committee has perused the complaint, the reply and all other connected papers and is of the opinion that the impugned news item is based on the observations made by the High Court, while disposing of the writ petition. The Inquiry Committee is of the opinion that the respondent newspaper has not violated any code of conduct, so as to call for action 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 decides to dismiss the complaint.

**Press Council of India**

Sl. No. 11

F.No.14/732/14-15-PCI

**Reference received from Election Commission of India against Editor Odisha Bhaskar for allegedly publishing Paid News during General Elections-2014 in the garb of news**

**Adjudication**

**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter No.491/Paid News/LA-2014/911 dated 1.12.2014 has forwarded a case of paid news reported during (Odisha) General Election 2014 for taking action against the Editor, Odisha Bhaskar. The detail of news item published in newspaper is as follow:

<b>S. No.</b>	<b>Name of the candidate and party affiliation to whom Notice issued in Paid News case</b>	<b>Title of the News items</b>	<b>Name of the newspaper/broadcast media and date of publication</b>	<b>Cost of said news item and per DIPR/DAVP rates that accounted</b>
1	Soumya Ranjan Patnaik, Aam Odisha Party	Khandapada re Aama Odisha Parti Samarthan Badhuchhi (English Translaion- Support of AOP increases)	Odisha Bhaskar dated 1.4.2014	Rs.4,563.80

It is reported in the impugned news item that the people of Khandapara Assembly Constituency are up against dynastic rule and corruption and hundreds are flocking to AOP candidate Soumya Ranjan Patnaik. It is further reported that several BJD leaders in recent past have come under AOP fold. It is also reported that AOP strength is on the rise in Khandapara say voters.

**No Written Statement**

Show Cause Notice was issued to the respondent on 2.2.2015 and but received no response.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad. There was no appearance on behalf of the respondent, despite service of notice.

The Inquiry Committee notes that this proceeding was initiated on the basis of communication dated 1.12.2014 received from the Election Commission of India, New Delhi forwarded the report of confirmed case of paid news against the newspaper 'Odisha Bhaskar' in its issue dated 1.4.2014.

The Council has laid down principles for adjudication of paid news which is as follows:

*"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. It 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 on election authorities is 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. 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.*

*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.”*

The Inquiry Committee has perused the impugned news item published in Odisha Bhaskar, Bhubaneswar edition in the light of aforesaid principles. Taking into consideration the contents, tenor and manner of presentation of news item. The Inquiry Committee is satisfied that the impugned news item is paid news.

The Inquiry Committee, accordingly, recommends that the newspaper ‘Odisha Bhaskar, Bhubaneswar edition’, Odisha 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, Odisha Bhaskar, Bhubaneswar edition, Odisha. A copy of this Order be forwarded to the District Magistrate, Bhubaneswar, the Director, Information & Public Relation Department, Govt. of Odisha, the Director General, DAVP and the Election Commission of India for necessary action at their end.

**PRESS COUNCIL OF INDIA**

Sl. No. 11 (a)

F.No.14/730/14-15-PCI

**Reference received from Election Commission of India against Editor Krantidhara, Odisha for allegedly publishing Paid News during General Elections-2014 in the garb of news**

**Adjudication**  
**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter dated 1.12.2014 has sent a case of paid news reported during the General Lok Sabha Elections, 2014 for taking necessary action against the Krantidhara, Odisha for publication of paid news in its issue dated 27.3.2014 under the caption “*Dasamantpur Block Congress President and two others joined BJD (English Translation)*”.

As per the English translation provided by the ECI, it has been stated in the impugned news item that Dasamantpur Block Congress President, Shri Ramakanta Dalai and its Vice President, Shri Pratap Khosla and senior Congress worker, Shri Ananta Khora joined BJD at the official residence of Koraput District BJD President, Shri Jayaram Pangi. It has been further stated that during this occasion, the Ex-MLA, Shri Gupta Prasad Das, MP candidate, Shri Jhina Hikaka MLA candidate for Laxmipur Heema Gomango and Dasmanthpur Block BJD President, Pandit Bisnoi were also present.

Show Cause Notice was issued to the respondent on 2.2.2015.

**Written Statement**

The respondent in his written statement dated 10.3.2017 has stated that the impugned news was a fact and neither fabricated nor made by their own anticipation.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad. There was no appearance on behalf of the respondent, despite service of notice.

The Inquiry Committee notes that this proceeding was initiated on the basis of communication dated 1.12.2014 received from Election Commission of India, New Delhi forwarding the report of confirmed case of paid news against the newspaper ‘Krantidhara’ in its issue dated 27.3.2014.

The Council has laid down principles for adjudication of paid news which is as follows:

*“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. It 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 on election authorities is 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. 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.*

*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.”*

The Inquiry Committee has perused the English translation of the impugned news item in the light of the aforesaid principles. From the contents, tenor and manner of presentation of the impugned news item, it is difficult for the Inquiry Committee to come to the conclusion that it is paid news.

The Inquiry Committee, accordingly, recommends for its dismissal.

**Held**

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

**Press Council of India**

Sl. No. 11 (b)

F.No.14/704/14-15-PCI

**Reference received from Election Commission of India against the Editor, Orissa Post for allegedly publishing Paid News during General Elections-2014 in the garb of news**

**Adjudication**  
**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter No.491/Paid News/LA-2014/911 dated 1.12.2014 has forwarded cases of paid news reported during (Odisha) General Election 2014 for taking action against the Editor, Orissa Post. The detail of news item published in newspaper is as follow:

<b>S. No.</b>	<b>Name of the candidate and party affiliation to whom Notice issued in Paid News case</b>	<b>Title of the News items</b>	<b>Name of the newspaper/broadcast media and date of publication</b>	<b>Cost of said news item and per DIPR/DAVP rates that accounted</b>
1	Shri Tathagat Satpathy, BJD candidate of 09 Dhenkanal Parliamentary Constituency	BJD nominees well-placed in Dhenkanal	Orissa Post dated 14.4.2014	Rs.2,808.00

It is reported in the impugned news item that the issue of displacement, rehabilitation, resettlement and environment have come to fore in the politically sensitive Dhenkanal Lok Sabha Seat which has witnessed large scale industrialisation and is home to massive coal deposit. It is further reported that good record of candidates and wide support of Chief Minister work's to the advantage of BJD nominees.

**No Written Statement**

Show Cause Notice was issued to the respondent on 30.1.2015 and time bound reminder on 28.3.2016 but received no response.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad. Shri Tathagat Satpathy, Editor appeared on behalf of the respondent.

The Inquiry Committee notes that this proceeding was initiated on the basis of communication dated 1.12.2014 received from Election Commission of India, New Delhi forwarded the report of confirmed case of paid news against the newspaper 'Orissa Post' in its issue dated 14.4.2014. The respondent in their oral submissions have contended that Orissa Post and Dharitri had formed a group of journalists for broad coverage from the ground and reports were based on their assessments.

The Council has laid down principles for adjudication of paid news which is as follows:

*"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. It 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 on election authorities is 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. 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.*

*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.”*

The Inquiry Committee has perused the English translation of the impugned news item in the light of the aforesaid principles and the oral submissions. From the contents, tenor and manner of presentation of the impugned news item, it is difficult for the Inquiry Committee to come to the conclusion that it is paid news.

The Inquiry Committee, accordingly, recommends for its dismissal.

### **Held**

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

**Press Council of India**

Sl. No. 11 (c)

F.No.14/726/14-15-PCI

**Reference received from Election Commission of India against the Editor, Dharitri, Odisha daily for allegedly publishing Paid News during General Elections-2014 in the garb of news**

**Adjudication**  
**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter No.491/Paid News/LA-2014/911 dated 1.12.2014 has forwarded cases of paid news reported during (Odisha) General Election 2014 for taking action against the Editor, Dharitri, Odisha daily newspaper. The details of news items published in newspaper is as follow:

<b>Sl. No.</b>	<b>Name of the candidate and party affiliation to whom Notice issued in Paid News case</b>	<b>Title of the News items</b>	<b>Name of the newspaper/broadcast media and date of publication</b>	<b>Cost of said news item and per DIPR/DAVP rates that accounted</b>
1	Prafulla Pangi, BJD	Election Campaign of BJD	Dharitri dated 27.3.2014	Rs.9,936.00
2	Smt. Hema Gomango of BJD and Sri Kailash Kulesika INC	Hema & Kailash went on campaigning in Bandhugam Block	Dharitri dated 27.3.2014	Rs.15,180.00

It is reported in the impugned news item that a public meeting was organised by the MLA candidates of BJD at Nilagiri Bana where Koraput MP, Shri Jayaram Pangi joined along with Shri Ragjuram Podal, MLA, Koraput and they together requested the participants and the general public and the workers to vote for Shri Prafulla Pangi, BJD Candidate from Pottangi A/C.

In other impugned news item it was reported that the Laxmipur candidates, Smt. Hema Gomango and Shri Kailash Kulesika of Congress campaigned in Bandhugam Block after conducting holy rituals at Jagannath Temple and Hanuman Temple and they promised to solve all the basic problems of the people in Bandhugam Block.

**No Written Statement**

Show Cause Notice was issued to the respondent on 2.2.2015 but received no response.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad. Shri Himanshu, Director appeared on behalf of the respondent.

The Inquiry Committee notes that this proceeding was initiated on the basis of communication dated 1.12.2014 received from Shri S.K. Das, Under Secretary, Election Commission of India, New Delhi forwarding the report of confirmed case of paid news against the newspaper 'Dharitri' in its issue dated 27.3.2014. The respondent in their oral submissions have contended that Dharitri and Orissa Post had formed a group of journalists for broader ground coverage and the reports were based on real time assessments.

The Council has laid down principles for adjudication of paid news which is as follows:

*“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. It 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 on election authorities is 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. 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.*

*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.”*

The Inquiry Committee has perused the English translation of the impugned news item in the light of the aforesaid principles and the oral submissions. From the contents, tenor and manner of presentation of the impugned news item, it is difficult for the Inquiry Committee to come to the conclusion that it is paid news.

The Inquiry Committee, accordingly, recommends for its dismissal.

### **Held**

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

### **Press Council of India**

Sl. No. 11 (d)

F.No.14/703/14-15-PCI

**Reference received from Election Commission of India against the Editor, Orissa Express for allegedly publishing Paid News during General Elections-2014 in the garb of news**

**Adjudication**  
**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter No.491/Paid News/LA-2014/911 dated 1.12.2014 has forwarded a case of paid news reported during (Odisha) General Election 2014 for taking action against the Editor Orissa Express. The details of news item published in newspaper are as follow:

S. No.	Name of the candidate and party affiliation to whom Notice issued in Paid News case	Title of the News items	Name of the newspaper/broadcast media and date of publication	Cost of said news item and per DIPR/DAVP rates that accounted
1.	Ganeswar Behera,INC,97(SC) Kendrapara Assembly Constituency	Ganeswar's scale weights heavy	Orissa Express dated 6.4.2014	Rs.3,708.72

As per the English translation provided, the impugned news report depicts candidate of one party in bad light and simultaneously shows contestent of other party in positive manner.

### **Written Statement**

The respondent in his written statement dated 11.3.2017 has denied such allegations of paid news and stated that they don't publish such kind of news at nay time their news paper.

Show Cause Notice was issued to the respondent on 30.1.2015 but received no response.

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

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad. There was no appearance behalf of the respondent, despite service of notice.

The Inquiry Committee notes that this proceeding was initiated on the basis of communication dated 1.12.2014 received from Election Commission of India, New Delhi forwarding the report of confirmed case of paid news against the newspaper 'Odisha Express' in its issue dated 6.4.2014.

The Council has laid down principles for adjudication of paid news which is as follows:

*"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. It 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 on election authorities is 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. 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.*

*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.”*

The Inquiry Committee has perused the English translation of the impugned news item in the light of the aforesaid principles. From the contents, tenor and manner of presentation of the impugned news item, it is difficult for the Inquiry Committee to come to the conclusion that it is paid news.

The Inquiry Committee, accordingly, recommends for its dismissal.

### **Held**

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

**Press Council of India**

Sl. No. 11 (e)

F.No.14/721/14-15-PCI

**Reference received from Election Commission of India against Editor, Anupam Bharat for allegedly publishing paid news during General Elections-2014 in the garb of news**

**Adjudication**  
**Dated 21.6.2017**

The Election Commission of India, New Delhi vide letter No.491/Paid News/LA-2014/911 dated 1.12.2014 has forwarded cases of paid news reported during General Election- 2014 for taking action against the Editor, Anupam Bharat, Behrampur, Orissa. The detail of news item published in newspaper is as follow:

<b>S.No.</b>	<b>Name of the candidate and party affiliation to whom Notice issued in Paid News case</b>	<b>Title of the News items</b>	<b>Name of the newspaper/broadcast media and date of publication</b>	<b>Cost of said news item and per DIPR/DVP rates that accounted</b>
1	Minati Mallik, Independent 82, Baliguda(ST) Assembly Constituency	My priority is dignity of women- Minati	Anupam Bharat (Berhampur) dated 28.3.2014	Rs.4,449.12

It is stated in the impugned news item that in 67 years of Independence in Balliguda Assembly constituency under Kandhamal Parliamentary constituency, no women has come forward and expressed willingness to be a candidate. But in general Election-2014, a woman has come forward to contest in the election as an Independent Candidate to uphold the dignity of women.

**No Written Statement**

Show Cause Notice was issued to the respondent on 30.1.2015 to but received no response.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad. There was no appearance behalf of the respondent, despite service of notice.

The Inquiry Committee notes that this proceeding was initiated on the basis of communication dated 1.12.2014 received from Election Commission of India, New Delhi forwarding the report of confirmed case of paid news against the newspaper 'Anupam Bharat' in its issue dated 28.3.2014.

The Council has laid down principles for adjudication of paid news which is as follows:

*"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. It 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 on election authorities is 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. 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.*

*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.”*

The Inquiry Committee has perused the English translation of the impugned news item in the light of the aforesaid principles. From the contents, tenor and manner of presentation of the impugned news item, it is difficult for the Inquiry Committee to come to the conclusion that it is paid news.

The Inquiry Committee, accordingly, recommends for its dismissal.

### **Held**

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

**PRESS COUNCIL OF INDIA**

Sl.No. 12

F.No.14/428/16-17-PCI

<b><u>Complainant</u></b>	<b><u>Respondent</u></b>
Shri V. Dinesh Reddy, Former DGP(HOPF), Govt. of Andhra Pradesh, Presently, BJP Leader Hyderabad.	The Editor, Deccan Chronicle, Hyderabad.

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 11.11.2016 has been filed by Shri V. Dinesh Reddy, Former, DGP(HOPF), Government of Andhra Pradesh, Hyderabad against the editor, Deccan Chronicle, Hyderabad alleging to publication of a false, frivolous, baseless, news item in its issue dated 14.9.2016 under the caption “*KCR goes after Nayeem’s Link*” and “*VIPs deny links with Nayeem*”. It has been reported in the said news items that the Chief Minister of Telangana state gave permission to the Special Investigation Team (SIT) to take action against the politicians and officials who had nexus with slain gangster, Nayeem. It is further reported in the box news that a few names which apparently have cropped up as Uma Madhava Reddy, NethiVidyasagar, Karne Prabhakar, Veeresham, V. Dinesh Reddy and others. The news report mentioned that the SIT briefed the Chief Minister about the investigation and mentioned inadvertently some politicians and officials with renegade naxal and action is expected to be taken against some key persons.

In the second news item, it has been reported that some politicians and officials and others whose names apparently have cropped up during the investigation have denied links with the gangster. Officially SIT has also not named anyone so far. It is also reported that former DGP, Shri V. Dinesh Reddy was the first to deny having ever met Nayeem and stated that he had in fact issued memo to SIT to nab Nayeem, but indicated that the then political leadership had not given green signal.

Denying the allegations levelled in the impugned news items the complainant submitted that the two news items are apparently concocted, motivated, fabricated and are intended to malign him who has a clean and impeccable track record. The complainant further submitted that the respondent never contacted him for his version before publishing his name. The complainant vide legal notice dated 17.9.2016 requested the respondent to furnish basis/sources of the information on which they have published the impugned news item. The respondent vide notice dated 28.10.2016 replied to the complainant and stated that they have not published anything wrong and defamatory against the complainant and they are willing to publish statement or material issued by the complainant with regard to the publication. The complainant was not satisfied with the reply of the respondent and requested the Council to take necessary action in the matter against the respondent editor.

A Show Cause Notice was issued to the respondent editor, Deccan Chronicle, Hyderabad on 21.12.2016.

**Written statement**

In his written statement dated 19.2.2017, the respondent submitted that the complaint is not maintainable as it is devoid of merits and without any just and proper cause of action. The news item does not in any way convey to the readers or to the public in general, that the complainant is involved in the crime and that he is an accused in the said case being investigated by the SIT. The news item

reflects the course of action chalked out by the Chief Minister of Telangana against the crimes committed by the notorious gangster Nayeemuddin alias Nayeem against innocent public. He has submitted that the nexus between the gangster and bureaucrats, politicians and police officials have shocked society, and the state government was determined to curb the menace. The news item were published based on public records and the information was given by sources in the Chief Minister's office and same was published without any malice or motive with a bonafide intention to bring the truth to the knowledge of the public in good faith and does not amount to violation of any statutory rules or laws. He has also submitted that the complainant filed this complaint just to embarrass them and levelled allegations which are irrelevant to this case. He has requested the Council to reject the complaint.

A copy of the written statement was forwarded to the complainant on 28.2.2017 for information.

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

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad, Telangana. The complainant was not present whereas Shri B.H.Kasinath, Associate Editor, Deccan Chronicle appeared before the Inquiry Committee.

Nobody appears on behalf of the complainant. The representative of the respondent newspaper states that the complainant has also filed criminal case No.1015 of 2016 in the Court of the 17<sup>th</sup> Additional Chief Metropolitan Magistrate, Hyderabad, in which the respondent has received the Summons. In view of the matter, the Inquiry Committee is not inclined to proceed in the case any further.

The Inquiry Committee, accordingly, recommends to the Council for closure of the case as the matter is *sub-judice*.

### **Held**

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to close the case for being *sub-judice*.

## **PRESS COUNCIL OF INDIA**

Sl. No. 13

File No.14/372/16-17-PCI.

Shri Balegowda,  
Circle Inspector of Police,  
Kunigal Police Station,  
Bangalore (Karnataka)

The Editor,  
N. Rajugowda Balagadinda CHRITHRE-  
Yuva Kraanthkaarigala Asthra”,  
Kannada Fortnightly,  
Bangalore (Karnataka)

### **Adjudication** **Dated 21.6.2017**

This complaint dated 6.10.2016 has been filed by Shri Balegowda, Circle Police Inspector, Police Station-Kunigal, Bangalore (Karnataka) against the Editor, N. Rajugowda Balagadinda CHRITHRE-Yuva Kraanthaarigala Asthra”, Kannada Fortnightly, Bangalore allegeding publication of false, misleading and defamatory news items along with complainant’s photographs in uniform under the caption “Victims victimized for fake case; Balegowda’s bribe yearning are countless?” and “Fake case Balegowda, the Deal King!” in its issue dated 7.6.2016 and 12.8.2016 respectively. The impugned news items highlighted the complainant as corrupt officer, who filed false cases against the innocents for making money. The impugned news items further reported that the complainant not only harasses the public for money but also his subordinates. It was also reported that many complaints are registered against the complainant before the SP, IGP, DG, Human Rights Commissioner. Describing complainant’s police career, it was also reported that the complainant had made property worth hundreds of crore.

Denying the allegations levelled in the impugned news items, the complainant alleged that the respondent published unfounded and baseless allegations with a view to defame him in the eyes of public, police department, family and friends. The complainant further alleged that the entire allegations against him in the impugned articles are false and published with a malicious intention against him and his family members. The complainant also alleged that the impugned articles are stories invented by the respondent of his own after colluding with one Shri Nagaraj Yadav for wrong gain.

The complainant vide his letter dated 5.7.2016 drew the attention of the respondent towards the impugned news items with a request for publication of unconditional apology but to no avail.

### **Written Statement**

Show-cause notice was issued to the respondent-editor, “N. Rajugowda Balagadinda CHRITHRE-Yuva Kraanthaarigala Asthra” on 20.1.2017 but the paper has not filed written statement.

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

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad. Shri Narasimha Gowda, Advocate appeared for the complainant while Shri N. Raju Gowda, Editor appeared for the respondent.

The Inquiry Committee has heard the complaint and the respondent. It is an admitted position that the complainant has filed OS No. 5826 of 2016, which is pending for decision before the Additional City Civil Sesion Judge, Bangalore and also Criminal Case PCR No. 8710 of 2016 (CC No. 20781 of 2006) which is pending before the Fifth Chief Metropolitan Magistrate, Bangalore. Relevant record has been filed for being *sub-judice*.

In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the case any further. The Inquiry Committee, accordingly, recommends for closure of the complaint.

**Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decides to **Close** the case for being *sub-judice*.

**PRESS COUNCIL OF INDIA**

Sl.No.14

F.No.14/276/16-17-PCI

**Complainant**

Shri Joy Joseph,  
Kerala

**Respondent**

The Editor,  
Malayala Manorama  
Kerala

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 10.8.2016 has been filed by Shri Joy Joseph, Kerala against the editor, Malayala Manorama, Kerala alleging publication of fake news in its issue dated 27.2.2016 under the caption "*Telephone message threat to Rashtrapati, security enhanced*". It is reported in the impugned news item that anonymous phone calls were made to the Presidents' Secretariat in Delhi minutes before arrival of Rashtrapati at the meeting place i.e. CMS College, Kottayam. The news report also indicates that security officers were in distress at Kottayam. It is further reported that the phone call was made from within the limits of Delhi. It is also reported in the impugned news item that the person who made the call was taken into custody at Delhi.

The complainant submitted that the news appeared only in respondent newspaper and nothing regarding the said threat was reported in any other daily, news channel, radio news etc. on that particular date. The complainant further submitted that he was an ex-employee of the sister concern of the respondent newspaper from 1997-2008 and because of the prejudicial and malicious intentions, the respondent published and highlighted the said news. According to the complainant it was in order to cover the adverse impact of a past incident in connection with his arrest on 16.3.2013 when the Hon'ble President visited Malayala Manorama, Kottayam to inaugurate the 125<sup>th</sup> anniversary celebration of the respondent newspaper. The complainant vide e-mail dated 19.9.2016 drew the attention of the respondent towards the publication of impugned news item and requested them to provide proof, but received no response. He requested the Council to take action against the respondent.

**Comments**

Notice for Comments was issued to the respondent editor on 16.12.2016. In response thereto, the respondent editor vide letter dated 31.12.2016 stated that they have not published any fake news and whatever they published is based on information received from the police authorities. He has also stated that a case is pending in the high court of Kerala between their organization and the complainant and hence the matter is subjudice.

A copy of the comments was forwarded to the complainant on 14.2.2017 for information/counter comments, if any.

**Counter comments**

The complainant vide counter comments dated 25.2.2017 submitted that the comments filed by the respondent is fake, fabricated, unsustainable and liable to be ignored. According to him, the respondent tried its level best to misguide the Council and tactfully twisted from the actual subject-publishing of fake news, without substantiating the impugned news with evidences/proofs. Further, the respondent stated that the news was given by the police. The police who have so replied cannot issue fake news to the respondent and therefore statement of the Malayala Manorama is wrong.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.3.2017 at Hyderabad, Telangana. There was no appearance from the complainant side whereas Shri Millu Dandapani, Advocate appeared on behalf of the respondent.

Despite service of notice, the complainant has not chosen to appear. The respondent newspaper is represented by its counsel. The Inquiry Committee has perused the complaint, the counter comments/arguments of the complainant and all other connected papers. The Inquiry Committee has also perused the impugned news item and is of the opinion that while publishing the same, the respondent newspaper has not violated any code of conduct, so as to call for action by the Council.

It recommends to the Council for the dismissal of the complaint accordingly.

**Held**

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

**PRESS COUNCIL OF INDIA**

Sl. No. 15

F.No.14/280/16-17-PCI

Smt. Savita Garg,  
District Sambhal,  
U.P.

The Editor,  
Nai Soch Nai Disha,  
Sambhal, U.P.

**Adjudication**  
**Dated 21.6.2017**

This complaint dated 30.08.2016 has been filed by Smt. Savita Garg, Sambhal, Uttar Pradesh against the Editor of 'Nai Soch Nai Disha' alleging publication of false, offensive, obscene and misleading news items in its editions dated 18.07.2016, 04.08.2016 and 11.08.2016 under the captions "चुपके से मार दिया डंक, भनक तक न लगी", "चोर की दाड़ी में तिनका, गुमनाम समाचार से तिलमिलाइ आयोजिका" and "में शरमाई, में घबराई फिर भी मुझे लाज न आई" respectively against her and a Social Organization being run by her viz. Gayatri Mahila Mandal.

In the impugned news item dated 18.07.2016 it has been reported that snakes and scorpions secretly sting and leave poison but a bastard as per his tendency secretly disappear after stinging and jokes with his relatives sitting at his home that "I have again stung and grabbed Lakhs of Rupees". It is further stated in the impugned news item that in the name of marriage ceremony of poor girls, such person grabbed money from the Government and Public officials and Organizers of the function are unaware of this fact.

It is stated in the impugned news item dated 04.08.2016 that the organizer (*herein Complainant*) of the ceremony took more than half of the donations to her house. It is also stated in the impugned news item that after facing embarrassment in society for misusing funds meant for poor girl's marriages, she has started taking thumb impressions of newlywed girls and their mothers to justify herself.

It is stated in the impugned news item dated 11.08.2016 that the organizer of the ceremony took 80% of the gifts, offerings and clothes etc. to her home and only 20% were given to the girls.

Denying the allegation levelled against her in the impugned news items the complainant has alleged that in a Mass marriage function, the respondent had demanded an amount of Rs. 2000/- towards advertisement from her as the said event was organised by her social organization viz. Gayatri Mahila Mandal which was refused by her as that was wastage of money. Annoyed over this, the respondent started 'smear' campaign against Gayatri Mahila Mandal by portraying her in bad light.

On asking the respondent to publish rebuttal, the respondent published more such scurrilous news items against her.

A Show Cause Notice was issued on 05.10.2016 to the respondent Editor, Nai Soch Nai Disha.

**Written Statement**

The respondent in his written statement dated 4.11.2016, while denying the allegations levelled by the complainant has stated that the newspaper has not published the name of any person in

the impugned news item. He further denied the allegation of blackmailing and stated that the news item was published in public interest.

### **Counter Comments**

The complainant in his counter comments dated 26.11.2016 has stated that the respondent has given misleading facts in his written statement and alleged that the respondent has tried to defame the complainant in order to blackmail her. She has requested the Council to stop the publication of the respondent newspaper and to cancel the Declaration of respondent newspaper.

### **Further papers filed by the respondent**

The respondent vide further communication dated 9.4.2017 while reiterating the written statement submitted that the allegation in the complaint are baseless and without any proof or reason.

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

Following an adjournment dated 15.12.2016, the matter came up for final hearing before the Inquiry Committee on 10.4.2017 at New Delhi. Shri Krishan Kumar H/o Smt. Savita Garg appeared for the complainant. Shri Rajat Kumar Gupta from Sambhal appeared for the respondent.

The Inquiry Committee has heard the representative of the complainant as also the respondent and has also perused the complaint, the reply and the connected papers. True it is, that in the complaint that the name of the complainant has not been mentioned, but from the story, it is evident that it was intended towards the complainant. It is the allegation of the complainant that the respondent newspaper earlier praised the complainant and thereafter the respondent demanded money for advertisement and when it was not given within one week, the defamatory story was published. The Inquiry Committee, in the facts and circumstances of the case, is inclined to accept the allegation made by the complainant that because she refused to give to the respondent the advertisement demanded, the defamatory story has been published. The Inquiry Committee is further disturbed by the language used in the newspaper. The Inquiry Committee holds that the respondent newspaper should publish the clarification. The Inquiry Committee further directs the complainant to give his version to the respondent and the respondent, in turn, is directed to publish the same. Besides, the Inquiry Committee is of the opinion that the respondent newspaper, having violated the code of conduct, deserves to be censured. The Inquiry Committee, accordingly, recommends that the respondent newspaper be Censured.

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

### **Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decides to **Censure** the respondent newspaper 'Nai Soch Nai Disha', Janpad-Sabhal, U.P.

### **PRESS COUNCIL OF INDIA**

**Sl. No. 16**

Shri V.K. Singh,  
Hon'ble Minister of State for External Affairs,  
New Delhi.

**File No.14/559/14-15-PCI**

The Editor,  
The Times of India,  
Mumbai.

**Adjudication**  
**Dated 21.6.2017**

This complaint dated 29.1.2016 has been filed by Shri V.K. Singh, Minister of State for External Affairs, New Delhi against the Editor, Times of India for alleged publication of a defamatory news item under the caption “Armed forces barred from buying jammers”

In the news item it has been reported that “The decision to keep the Defence Forces out of the list of authorised agencies is significant as questions were raised on the now defunct Army’s Technical Support Division. The TSD was set up during the tenure of the former Army Chief General V.K. Singh who was accused of carrying out unauthorised operations. The jammers or interceptors imported by the TSD for evaluation purpose could not be accounted for after the government decided to close down the unit “Jammers can be procured only by states police department and jail authorities.

The complainant stated that the impugned news items is basically about purchase of Jammers and talks of Defence Forces not being mentioned as an agency to buy jammers. The complainant stated that impugned story talks about TSD raised by him and talks of interceptors having been bought. According to the complainant the editor for sure knows difference between jammers and interceptors then how come a story on jammers, one can bring interceptors, their alleged accounting and a unit raised by the Army. How is it related and how a news item on procurement policy on jamming equipment, has his (complainant’s) name.

A Show Cause Notice dated 7.3.2016 was issued to the respondent newspaper, The Times of India, New Delhi.

### **Written Statement**

The advocate Shri Shailendra Singh, Counsel for the respondent in his written statement dated 2.4.2016 denied the allegation of the complainant and submitted that it is practically impossible for a newspaper to have journalist/reporter at each and every place to collect information and his client’s newspaper has carried the news provided by the PTI after giving due credit to them which can also be seen at the bottom of the news. He has further stated that since PTI was the origin of the news, it was also received by the other newspaper which too have widely reported and carried news articles on the same subject matter that constitutes the core of the impugned news. The Hon’ble Council can see and verify that the news carried in all the publications including his client of newspaper are one and the same. The respondent denied that his client has inserted the complainant’s name in the news without any justification or reason. The respondent has requested to drop the proceeding in the matter.

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

Following an adjournment dated 6.9.2016, the matter came up for final hearing before the Inquiry Committee on 10.4.2017 at New Delhi. Shri Vishwajeet Singh, Advocate appeared on behalf of the complainant while there was no appearance on behalf of the respondent.

This complaint was filed as back as on 29.1.2016.

When the matter was taken up on 6.9.2016, the complainant was given liberty to file an application for impleading the Press Trust of India (PTI) as one of the respondents. He has not chosen to do so, even after the lapse of more than six months. In the facts and circumstances of the case, the Inquiry Committee is not inclined to afford further opportunity to the complainant and 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. 17

F.No.14/287/16-17-PCI.

Shri Ram Prasad Patel,  
National President/Proprietor,  
Garib Vikas Sanstha,  
Sagar (M.P.).

Vs.

The Editor,  
Peoples Samachar,  
Bhopal (M.P.).

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 1.9.2016 has been filed by Shri Ram Prasad Patel, National President/Proprietor, Garib Vikas Sanstha, Sagar (M.P.) against "Peoples Samachar", Bhopal (M.P.) for allegedly publishing false, baseless and defamatory news item under the caption "**दिल्ली की गरीब विकास संस्था नियम कायदे तक पर रख कर चला रही है बैंक-वित्त विभाग के फर्जी आदेश से वित्त मंत्री के गृह जिले में खुल गया बैंक**" in its issue dated 1.9.2016.

It was reported in the impugned news item that after bogus chit fund companies Janhit Banks are now functioning to fleece the gullible farmers. The bank is being operated by the Garib Vikas Sanstha and opened in the home district of Finance Minister with fictitious orders of the Finance Department. As a result, its branches are being opened in the home districts of the Chief Minister, Home Minister and others in the State. According to the impugned news item, the Peoples Samachar enquired into the matter and found that the said Order No.437 dated 9.6.2016 issued by the State Finance Department is fictitious. The impugned news item further reported that this bank being operated from a single room which has no permission of RBI doesn't have proper infrastructure and lacks security. It was also reported that the Operator of the banks, Shri R.P. Patel, President/Proprietor of the Garib Vikas Sanstha has sent a letter dated 1.7.2016 to the Principal Secretary (Finance) giving references therein of two orders of Finance Department with regard to bank's new branches and appointments and its copies were endorsed to the Collectors of Vidisha, Sagar and Raisen.

While denying the allegations, the complainant alleged that the impugned news item is based on false facts. The complainant submitted that his organisation i.e. "Garib Vikas Sanstha" is registered under Firms & Societies Act and the Finance Department, Government of M.P., Bhopal gave approval for opening the branch of bank and the concerned District Collector and officers were also duly informed about opening of the bank and no objection has raised by the Government. According to the complainant, Writ Petition No.10917/16 and 12017/16 were placed before the Hon'ble Court of Jabalpur in this regard and the Court passed an Order dated 24.8.2016 for registration of the जनहित बैंक in the District Headquarter. The complainant stated that the detail information regarding Bank Branches and its appointments are being given to the RBI regularly and the RBI has also not raised any objection in this regard. The complainant alleged that the respondent-newspaper published the impugned news item without proper pre-verification, which is irresponsible and against the norms of journalistic ethics. The complainant further alleged that due to publication of impugned news item his reputation has been severely affected and caused him mental stress.

The complainant issued a Notice dated 1.9.2016 to the respondent for publication of contradiction but to no avail.

Show-cause Notice was issued to the respondent-Editor, Peoples Samachar, Bhopal on 7.11.2016 but no response was received.

**Further letter dated 29.3.2017 of the complainant**

While reiterating the complaint, the complainant vide letter dated 29.3.2017 submitted that he issued a letter to the Chief Secretary, Madhya Pradesh Govt. Finance Deptt., Bhopal informing that the bank is only for members of the Samiti and not for public. The Deptt. has given its consent letter dated 9.6.2016 to the complainant stating that the Samiti can open its branch at its own level. He also submitted that confirmation of the letter for issuing was also given by the concerned Section Officer of the deptt.

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

The matter came up for final hearing before the Inquiry Committee on 11.4.2017 at New Delhi followed by adjournment dated 6.2.2017. There was no appearance from either side.

Despite service of notice the complainant has not chosen to appear. On the earlier occasions also he had not appeared. 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. 18

F. No. 14/274-275/15-16-PCI

Shri Inderjit Kapani  
Indore  
Madhya Pradesh

1. The Editor  
Dainik Bhaskar Corporation Ltd.  
Indore, Madhya Pradesh.
2. The Editor  
Dainik Patrika  
Indore, Madhya Pradesh.

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 08.09.2015 filed by Shri Inderjit Kapani, Indore, Madhya Pradesh (MP) against the editor of Dainik Bhaskar and Dainik Patrika, Indore, MP for allegedly publishing baseless, confusing and misleading advertisements in their publications.

The complainant submitted that the said newspapers religiously indulge in publishing misleading advertisements of hoax astrologers and babas that guarantee to cure sex related issues in their publications. The complainant submitted that the Dainik Patrika newspaper had published Weekly Horoscope in its issue dated 30.08.2015 Pg. 10 and Daily Horoscope in its issue dated 31.08.2015 Pgs. 6 & 8, issue dated 27.08.2015 Pgs. 6 & 11, issue dated 30.08.2015 Pgs. 13 & 5 and carry advertisements of various fake astrologers such as Baba Amil Sufi, Baba Amar Bangali, Baba Mirja Bangali and many such names with their contact numbers and pictures. Similarly, Dainik Bhaskar in its issue dated 30.08.2015 Pg.12, D.B. Star issue dated 27.08.2015 had published an advertisement of Tarot Power Jaspal Tuteja and even in the classified advertisement page published advertisements of different misleading and hoax astrologers. Generally, these people only provide their contacts numbers in the published advertisements to trap the gullible people and on calling them, they ask their clients to submit a certain amount and after receiving the money, just flee from that place. This kind of advertisements, according to the complainant is very dangerous and misleading and nothing but bluff and inhumane as through these kind of advertisement fraud people get a chance to commit crime and play with the sentiments of the people. The newspapers, agencies need to act responsibly.

The complainant further submitted that he had also drawn the attention of the editors of the respondent newspapers Dainik Bhaskar and Dainik Patrika vide his letters dated 27.02.2016 requesting both the editors of the respondent newspapers to stop publishing such misleading and hoax advertisements related to tarot reading & astrology e.t.c and at times advertisements promoting sex related issues but he did not receive any response from either of the respondent editors. Hence, the complainant approached the Council to intervene in the matter and do justice.

A Show Cause Notice dated 12.04.2016 issued to both the editors of the respondent newspapers 'Dainik Bhaskar' and 'Dainik Patrika', Madhya Pradesh.

**Written statement of Patrika**

The respondent while denying the allegations as alleged submitted that the said advertisements are published as per relevant rules and recognised principles. The newspapers never

advise and give guarantee to their readers to follow them. It all depend on discretion of the readers. It is expected from the readers of the newspapers to have complete information before believing/implementing on it. The newspapers will not be considered responsible for any type of claim/presentation given by the advertisers. The respondent submitted that the allegations in the complaint are based on possibilities and requested for order to dispose them.

The matter came up for consideration before the Inquiry Committee initially on 12.7.2016 deciding to set up sub-committee for the purpose of obscene advertisement. The Report of the Sub-Committee in this regard was accepted by the Council on 9.9.2016

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

The matter came up for final hearing before the Inquiry Committee on 11.4.2017 at New Delhi followed by two adjournments dated 12.7.2016 and 7.2.2017. There was no appearance on behalf of the complainant whereas Shri Mahesh Ku.Vijayvergiya, Advocate represented for the respondent.

The Inquiry Committee considered the matter in light of the recommendation of the Sub-Committee in the matter. It is of the opinion that by publishing the impugned classified advertisements, the respondent newspaper is encouraging superstition and therefore, needs to be prohibited/restrained. Accordingly, the Inquiry Committee directs the respondent newspapers to be careful in future and to refrain for publishing these kinds of advertisements.

### **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 direct the respondent newspaper to be careful in future and not publish these kinds of advertisements.

**Press Council of India**

Sl.No. 19

F. No. 14/197/16-17-PCI

**Complainant**

Shri H.N. Meena  
General Manager, Govt. Of India  
Ministry of Finance, Deptt. of Revenue,  
Govt. Opium & Alkaloid Works,  
Neemuch-458441 (M.P.)

**Respondent**

Shri Radha Vallabh Goel  
The Editor,  
Dashpur Express  
Neemuch, MP.

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated July 13, 2016 has been filed by Shri H.N. Meena, General Manager, Govt. of India, Ministry of Finance, Department of Revenue, Govt. Opium & Alkaloid Works, Neemuch (MP), against the editor of Daily local Hindi newspaper, Dashpur Express, Neemuch, MP for allegedly publishing baseless and untrue charges against the complainant and the organization which is headed by the complainant, in issue dated June 12, 2016 captioned “*charcha aur vivado mein ghira raha factory Mahaprabandhak Meena ji ka karykal*”.

It is reported in the impugned news item that one and half year term of the GM of the Asia’s Biggest Opium and Alkaloid Factory remained a very controversial one. Lot of irregularities in the working style of Shri H.N. Meena and negligence in discharge of responsibility and several bad decisions during his tenure of work as the General Manager of the organization has adversely affected the functioning of the organization. The news item also alleges that Shri Meena instead of doing his duty kept himself occupied with other work such as participating in Save Girl Child campaign or cleanliness program or yoga camps etc.

The complainant submitted that the news item is defamatory and libellous against the Govt Opium and Alkaloids Works, Neemuch, which is directly under the Ministry of Finance, Govt. of India and is the biggest organisation in Asia that legitimately manufactures life saving opiate drugs.

The Complainant vide his letter dated July 11, 2016 has communicated his grievance to the editor of the respondent newspaper stating that the article was published in the paper without taking due care and proper inquiry from the concerned authorities and has been published with an intention to malign a person/organisation that is engaged/established to serve the society. The complainant stated that the impugned news item is injurious to the reputation of the Ministry of Finance which is the controlling authority. The complainant further claimed that by publishing an unverified and false news item against a much reputed Govt. Organisation and its GM, the editor of the Newspaper has breached journalistic ethics and have requested the Council to take strict action against the respondent newspaper.

A Show Cause Notice dated 17.08.2016 was issued to the respondent newspaper for written submission in the matter. In reply dated August 30, 2016, the editor of the respondent newspaper requested the Council to send the copy of the complaint and the show cause notice in Hindi since the newspaper is in Hindi. Accordingly, Show Cause Notice was reissued to the respondent newspaper in Hindi on September 9, 2016.

**Complainant’s objections**

The complainant vide his letter dated September 29, 2016 submitted that the request made by the respondent newspaper is pointless and had claimed that this proves that his complaint is true and factual and as because the respondent newspaper doesn't have any answer, hence they are adopting delay tactics to drag the matter.

### **Written Statement**

The respondent in his written statement dated 14.3.2017 stated that the incidents referred in impugned news item have occurred during the tenure of Shri Meena. He has further stated that Shri Meena has filed this complainant only on some particular portion of news but the news item should be read as a whole. He submitted that the news item was not published with the intention to harm the reputation of Shri Meena. He further submitted that the news was published on the basis of the complaints filed against Shri Meena during his tenure. He requested the Council to provide justice in the matter.

A copy of the written statement was forwarded to the complainant on 27.3.2017.

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

The matter came up for final hearing before the Inquiry Committee on 11.4.2017 at New Delhi followed by two adjournments dated 15.12.2016 and 7.2.2017. There was no appearance on behalf of the complainant whereas Shri Subhash Ojha represented the respondent newspaper.

Despite service of notice the complainant has not chosen to appear. On earlier two occasions also he had not appeared. The complainant has sent an application, *inter alia*, stating that because of the arrival of opium in the factory neither he nor any of the employees can be spared to attend the proceedings of the Inquiry Committee. The Inquiry Committee is of the opinion that the ground urged is absolutely untenable and accordingly rejects the prayer.

The Inquiry Committee has perused the complaint and all connected papers and finds no merit in the grievance of the complainant and accordingly, recommends for Dismissal of the complaint.

### **Held**

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

**Press Council of India**

Sl.No. 20

F.No. 14/496/15-16-PCI

**Complainant**

Km.Ranjan Lata  
Distt. Kaimoor,  
Bihar

**Vs.**

**Respondent**

The Editor  
Dainik Aaj,  
Bihar

**ADJUDICATION**

**Dated: 21.6.2017**

This undated complaint received in the Secretariat on 17.12.2015 has been filed by Km. RanjanLata, Bihar against the Editor, Dainik Aaj, Mau, Uttar Pradesh allegedly for publication of baseless and false news against her as detailed herein below:

<b>Sl. No.</b>	<b>Caption</b>	<b>Date</b>
1	Banno hawalat mein	2- 7- 2015
2	Khatm ho gaya khel banno pahuch gayi jail	3 -7- 2015
3	Filhal jail mein hi rahegi banno	4- 7- 2015
4	SDM ka chaalak bhi jad mein, banno ka agla nishana kaun banega	6- 2014
5	Sasural mein gol gappe naa pakar tamtamayi banno	6- 2014

In the impugned news items it is alleged that Ms. Ranjan Lata, a 420, has been arrested by the Police on a non-bailable warrant. Her husband and brother have distributed mangoes and sweets after hearing news of her arrest. She is used to file false cases against people of UP and Bihar to extort money from them.

The complainant submitted that she is a dalit high school teacher having dowry case against her husband and lives alone. Being SC and divorcee, she has been victimized and also harassed by her husband physically, mentally and economically. The complainant submitted that she is a reputed teacher but the respondent paper has defamed her and had lowered her reputation in the society due the objectionable and baseless news items. However, other newspapers have published true and factual news related to her case. The complainant further stated that she met Shri Rishikesh Pandey, Bureau Chief, Aaj on 10.7.2013 in connection with publication of mandatory statement in newspapers as a part of divorce proceedings pending in the district Court. She alleged that Bureau Chief, Aaj is a journalist of criminal record who raped her and many cases U/S 354/342/323/504 IPC 307 SC/ST Act are pending against him. She further stated that he has filed false cases against her due to which she was imprisoned for two months (July & August, 2015), and alleged that he got published baseless and false news without any proof against her. Now she is suspended for six months from services and suffering financial loss. The complainant vide letter dated 4.12.2015 drew the attention of the respondent to publish rejoinder but received no response. The complainant requested the Council to take action against the respondent.

A Show Cause Notice issued to the respondent Editor, Dainik Aaj, Bihar on 8.6.2016.

**Written Statement**

In response, the respondent vide letter dated 20.6.2016 submitted that the news items have been published based on the information provided by her husband and father. The respondent submitted that the allegations made by the complainant are baseless as the complainant was present in the school of Bihar as per record. She used to blackmail people by registering false cases against them and the court has granted Stay based on proofs and the cases are subjudice. The complainant has also filed a case against her father for sexual harassment and her brother and sister as well. The

complainant has filed cases of snatching and eve teasing against the landlords wherever she lives on rent. He informed that the complainant is in the habit of filing false cases.

A copy of the written statement was forwarded to the complainant on 30.6.2016 but received no response.

#### **Further Response from the Bureau Chief, Aaj, Mau, M.P.**

Shri Rishikesh Pandey, Bureau Chief, Aaj, Mau, M.P. vide his letter dated 29.8.2016 stated that the complainant had registered a false case against him in Mau police station on 22.8.2013. He informed that the complainant had beaten the clerk of her school against which the school Principle and teachers demanded transfer of the complainant in written from the higher officials. He further informed that the landlord of the complainant also lodged an attempt to murder case against her. He also submitted that the complainant has lodged a false complaint against him which is pending before the court of law.

A copy of the same was forwarded to the complainant on 27.9.2016 for information/comments, if any.

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

The matter came up for final hearing before the Inquiry Committee on 11.4.2017 at New Delhi followed by adjournment dated 8.9.2016 and 6.2.2017. There was no appearance either on behalf of the complainant or the respondent side.

Despite service of notice the complainant has not chosen to appear before the Inquiry Committee. On the earlier occasions also she had not appeared. 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**

**SI. No. 21**

**F.No.14/299/16-17-PCI**

Shri Bhagwandeem Sahu,  
Spokesperson,  
Shri Yog Vedant Sewa Samiti,  
Chhindwara, Distt. Chhindwara,  
Madhya Pradesh 480001

The Editor,  
Dainik Bhaskar,  
Chhindwara,  
Madhya Pradesh

### **Adjudication** **Dated 21.6.2017**

This complaint dated 2.9.2016 has been filed by Shri Bhagwandeem Sahu, Chhindwara, M.P. against the Editor, Dainik Bhaskar allegedly for publication of baseless news item under the caption 'आसाराम को स्वास्थ्य के आधार पर जमानत देने से इंकार' in its issue dated 12.8.2016.

It is reported in the news item that Supreme Court of India has declined for interim bail to Asaram Babu on health ground. And rejected the application filed by the respondent. It is reporting that Shri Asaram is imprisoned at Jodhpur jail on the allegation of raping a minor girl, the court directed AIIMS to constitute Medical Board having three members for Medical Examination and to submit the report within ten days. The lawyer of Asaram Babu has requested the court to grant him interim bail for one or two months for his treatment by Panchkarm Ayurveda method in Keralam, but the court has not accepted the plea.

The complainant alleged that the respondent has published the baseless news item deliberately to mislead the common man with ill intention. He submitted that the court has not rejected the bail but has directed AIIMS to provide his medical report after examination. The complainant alleged that the matter is related to the court and surprising the impugned was the paper has violated the court's order. The news item has hurt religious sentiments of 11 crore disciples of Shri Asaram and 44 crore disciples associated with them. The complainant vide letter dated 23.8.2016 drew the attention of the respondent and requested to publish apology/corrigendum for the same but received no response. The complainant requested the Council to take action against the respondent.

A Show Cause Notice issued to the respondent editor, 'DainikBhaskar', Madhya Pradesh on 7.11.2016.

### **Written Statement**

The respondent paper vide written statement dated 23.11.2016 submitted that the impugned news item in Chhindwara edition was published only after due selection and examination of news content by the editor of Bhopal edition. The respondent further submitted that the report in his edition was published on the basis of orders given by the Hon'ble Supreme Court on the bail on application of Shri AsaramBabu. The respondent added that in his edition, mistake it was published

that his (Shri Asaram) plea was dismissed instead of denying interim bail by the court.

### **Counter Comments**

The complainant in his counter comments date 27.12.2016 has stated that the respondent is trying to mislead the Council by stating that the complainant has not furnished any evidence in support of his contention that Dainik Bhaskar, Chindhwara edition had been publishing antinational news for the last three years. The complainant has submitted that a criminal case is pending against the respondent newspaper for the last two years and publication of the order of the Supreme Court by manipulating facts, is nothing but an anti-national activity.. The complainant has requested the Council to take stern action against the respondent.

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

Following an adjournment dated 7.2.2017, the matter came up for final hearing before the Inquiry Committee on 11.4.2017 at New Delhi. Advocate Gaurav Kumar appeared for the complainant while there is no appearance on behalf of the respondent.

The Inquiry Committee has heard the complainant and perused the complaint, the written statement and the counter comments. The Inquiry Committee is of the opinion that the respondent newspaper has not committed any misconduct in publishing the impugned news item. 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 **Dismiss** the complaint.

## Press Council of India

Sl. No. 22

F.No. 14/636/15-16-PCI

1. Financial Technologies (India) Ltd (FTIL)  
Through: Anupam Dasgupta
2. (Assistant Manager- Legal)

Mr. Sundaresha Subramanian,  
Associate Editor  
Business Standard  
Business Standard Limited,  
Nehru House, 4  
Bahadur Shah Zafar Marg,  
New Delhi-110002

3. Mr. Jignesh Shah  
Chairman Emeritus & Mentor, FTIL,  
R-Square, 12, N.S. Road,  
JVPD Scheme, Vile Parle (West)  
Mumbai- 400049.

### Adjudication Dated 21.6.2017

This complaint dated 11.03.2016 has been filed by Financial Technologies (India) Ltd. through Mr. Anupam Dasgupta, Assistant Manager- Legal, and Mr. Jignesh Shah, Chairman Emeritus & Mentor, FTIL against Mr. Sundaresha Subramanian, Associate Editor, Business Standard for allegedly publishing factually inaccurate, biased and prejudiced news item against the complainants which is violative of provisions regarding accuracy and fairness of facts, breaches Right to Privacy of the individual on whom the news item is based on and does not adopt pre-publication verification and fall foul of the guidelines on Trial by Media enshrined in the Principles and ethics issued by the Council.

The complainants objected to the news items as detailed herein below:

Sl No.	Date	Caption	Grievance
1.	18.02.2016	<b>“Jignesh Shah Appears before EoW ahead of HC hearing”</b>	<p>The news item reveals the whereabouts of Mr. Jignesh Shah on February 17, 2016 during a certain time period. As it is nowhere made out as to how reporting his exact location of a person is so necessary or important for news report in any manner. Therefore such reporting according to the complainant is prejudicial to and violative of ‘right to privacy’ of Mr. Shah.</p> <p>Also in order to sensationalise the news, the journalist has linked two completely different facts one related to the hearing of Anticipatory Bail Application of Mr. Shah and the other is the matter of summons issued by the Economic Offences Wing (EoW) in one news item. This kind of sensationalism has an adverse effect on the rights of Mr. Shah as such kind of reporting can make an adverse effect on the judicial and investigative proceedings that are pending before various forum.</p> <p>Also the news item used a phrase <b>‘duo is accused of allegedly conniving’</b> while referring to Mr. Shah and another accused Mr. Jagmohan Garg of M/S Mohan India, with the intention to prove</p>

			collusion between the two, on contrary the two have never met before the NSEL payment defaults came to light which proves the inaccuracy of the news item.
2.	19.08.2015	<b>“Delhi Police Question Jignesh Shah”</b>	The article, instead of giving an insight whatsoever into the NSEL payment defaults, follows a time-lapse detail of interrogation of Mr. Jignesh Shah by the EoW Delhi, right till ‘the time of filing the report’.
3.	13.10.2014	<b>“” NSEL investors move SC against Jignesh Shah bail order”</b>	The counsellor of the complainant claims that the facts mentioned in the news item is far from the truth. The report states that Bombay High Court granted bail to MR. Jignesh Shah on health grounds whereas the truth was health was not at all a ground for granting of bail. The respondent instead of reporting the truth has invented a ground of his own i.e, health reasons with an intention to downplay the real grounds of grant of bail and tried to show Mr. Shah in bad lights.

The counsel of the complainant submitted that almost every impugned article by the respondent contains a picture of Mr. Jignesh Shah with the sole intent of causing prejudice against him in the ongoing investigations and various sub-judice matters on the contrary other articles written by him, or other corporate, do not carry any pictures. This shows that the involved journalist has tried to discriminately cover the issue relating to the complainant. Mr. Jignesh Shah is a first generation entrepreneur and is considered as a pioneer in the field of creating the financial markets infrastructure in India and abroad and has founded FTIL. But on 20<sup>th</sup> November 2014 he resigned from the post of FTIL's Managing Director and assumed the role of Chairman Emeritus and Mentor (a non-Board, non-executive honorary position), NSEL is a subsidiary of FTIL, AND Mr. Shah was a non-executive Director on the Board of NSEL from which he has resigned on 22<sup>nd</sup> December 2014 and therefore was never concerned with the day-to-day functioning of the NSEL exchange platform. It is further submitted by the Counsel to the complainant that after the NSEL payment defaults, the respondent journalist has written and published more than 40 news item.

The complainant submitted that the respondent associate editor has adopted a one sided and tarnishing approach in covering the story related to Mr. Shah in order to defame him. A legal notice dated 19.02.2016 was sent to the respondent editor.

The complainant pleaded the Council to take action against the Journalist Mr. Sunderasha Subramanian for the abovementioned acts and omissions and for any other relief that the complainant are entitled to, in law may also be granted in their favour.

A Show Cause Notice dated 26.04.2016 was issued to the respondent newspaper.

### **Written Statement**

The respondent filed its written statement received by the Council on 1.06.2016 informing the Council that he has been working as journalist for eleven years and have worked with three leading dailies in Mumbai and Delhi and throughout his career he has never been levelled before with such allegations of violating journalistic norms or ethics. He submitted that the complaint has been filed by the complainant before the Council to intimidate his newspaper from publishing reportage in respect of the scam popularly known as the NSEL payment crisis scam, the value of which is estimated to about 5600 crores and which has affected roughly about 13,000 persons directly. The respondent further submitted that he was actively involved in unearthing the scam by visiting various warehouses in Delhi, Chandigarh, Ludhiana, Panchukula and Naraingarh to find out whether the warehouses are

carrying the stock which has been claimed. In this context he also wrote about brokers. The complainant company FTIL is a company promoted by Mr. Jignesh Shah, the second complainant. FTIL in turn promoted the National Stock Exchange Ltd. (NSE). The problems arose when several FIRs were registered. These matters were investigated by higher authorities like the Economic Offences Wing of the Crime Branch of Mumbai Police and Enforcement Directorate, by the Forward Market Commission, and by the Registrar of companies. Saying this respondent claimed that as a responsible journalist and as a responsible newspaper, the respondent and his newspaper have scrupulously followed the journalistic ethics and norms while reportage.

### **Counter Comments**

The complainant in its counter comments submitted that the contents of the complaint filed by the complainants are reiterated to be correct and reaffirmed as true and correct and has denied the submission of the respondents made in its written statement before the Council as malafide and pleaded the Council that the counter comments/rejoinder of the complainant may kindly be taken on record and the complaint be allowed in terms of the reliefs sought therein.

### **Surrejoinder filed by the Respondent**

Shri N. Sundaresha Subramanian, Associate Editor, Business Standard vide his undated surrejoinder received in the Secretariat of the Council on 2.9.2016 has stated that the allegations put forth by the complainant that the respondent continues to publish articles on the complainant/s is absolutely false. He further stated that the complaint nothing but an attempt to pass off many of their sub-judice arguments and claims as if these are undisputable facts and with the ulterior motive of misguiding the Hon'ble Council. He also stated that the respondent did balanced and merit based reporting without any bias relating to the complainant. He reiterated that the complaint is an attempt to terrorise and browbeat an honest reporter and put the respondent under mental agony. He has given a para-wise reply and denied the contents of all the para of the counter comments of the complainant. He has requested the Council to dismiss the complaint being false and baseless with heavy cost.

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

Following an adjournment dated 7.9.2015, the matter came up for final hearing before the Inquiry Committee on 11.4.2017 at New Delhi. Shri Rishabh Sancheti, the complainant appeared in person while Shri N.B. Joshi, Advocate along with Shri Manoj Sharma, A.R. and Shri Sundausha Subramaniam, Associate Editor appeared for the respondent.

The Inquiry Committee has heard the complainant and the counsel for the respondent. The Counsel appearing on behalf of the Newspaper and the editor states that they adopt the written statement filed by the correspondent. The Inquiry Committee has perused the complaint and the written statement and other connected papers and is of the opinion that the respondent newspaper has not violated any code of conduct and norms of reporting by publishing the impugned news item.

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 **Dismiss** the complaint.

**Press Council of India**

Sl. No. 23

F.No.14/369/16-17-PCI

Shri Devender Prasad Mishra,  
Retired Principal,  
Kakori Shaheed Inter College,  
Mohalla-Narayanpur Kot Kasba,  
Janpad-Shahjanpur, U.P.

The Editor,  
Rahat Times,  
Lucknow, U.P.

**Adjudication**  
**Dated 21.6.2017**

This complaint dated 15.10.2016 has been filed by Shri Devender Prasad Mishra, Shahjahanpur, U.P. against the editor, Rahat Times, U.P. alleging publication of baseless and defamatory news item devoid of facts under the caption “**Kakori Shaheed Inter College mein chhatro ke sanchayika mein gol maal**” in its issue dated 8.9.2016.

It was reported in the impugned news item that matter of embezzlement of Security deposit charged from students has heated up. School’s Sports and Security deposit In-charge has levelled allegation against Principal and Manager for misappropriating funds.

The complainant submitted that the Security Deposit account is operated jointly by the present Principal and the Office In-Charge. He retired as Principal in 2010 and has no interference in school’s affair. The former Principal or Manager has no concern with this matter. The complainant vide legal notice dated 20.9.2016 drew the attention of the respondent towards the impugned report but the same was received back with postal remarks “addressee does not stay on this address”. The complainant alleged that the false report was published to malign him in the society without verifying the facts.

A Show Cause Notice was issued to the respondent editor, Rahat Times, U.P. on 8.12.2016.

**Written Statement**

The respondent vide letter dated 12.1.2017 while denying the allegations submitted that the report was published on the basis of facts. Shri Rajaram, Assistant Teacher of the college has provided written information to paper’s correspondent in this regard. He further submitted that the complainant has himself accepted the facts in his letter addressed to the Council as well as to them that security deposits for months have not been disbursed to the students who have left the school. Hence, it is proved that the report was published on facts and without any malafide intention.

**Counter Comments**

The complainant in his counter comments dated 3.4.2017 the reply of the respondent is prima facie misleading and hide the facts as when the complainant sent his first notice to the respondent, it was received back undelivered with postal remarks that ‘praptkarta iss pate par nahi rehta hai’ while the notice of the Council and the letters of the Principal were received by the respondent on the same address.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 11.4.2017 at New Delhi. There is no appearance on behalf of the complainant, despite service of notice. However, he has filed

an application making prayer for disposal of the case on the merits. Shri Pratap, appeared on behalf of the respondent.

The Inquiry Committee has perused the complaint, the written statement and other connected papers and finds that the impugned news item has been published on the basis of a communication of the teacher of the School himself.

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 **Dismiss** the complaint.

**Press Council of India**

Sl. No. 24

F.No.14/359/16-17-PCI

**Complainant**

Dr. Surendra Jain,  
Joint General Secretary,  
Vishwa Hindu Parishad,  
Sankat Mochan Ashram,  
Sector-VI, R.K. Puram,  
New Delhi

**Respondent**

The Editor,  
The Hindu,  
Delhi

**Adjudication**  
**Dated 21.6.2017**

This complaint dated 28.9.2016 has been received from Dr. Surendra Jain, Joint General Secretary, Vishwa Hindu Parishad, Delhi against the editor, The Hindu for allegedly misquoting and use of frivolous term “fringe elements” for a nationally reputed organization, the Vishwa Hindu Parishad in its issue dated 9.8.2016 under the caption “VHP, Hindu outfits condemn Modi remarks on gau rakshaks”. It is reported in the impugned news item that after Prime Ministers condemnation of militant cow protection organizations or gau rakshaks and their attacks on Dalits, the fringe elements of the Sangh Pariwar, namely the VHP said cow protection had been an activity that it had been undertaking for a long time and that it would continue to do so. The impugned news item reported that “We will not like to comment on the issue (of violence against Dalits), however, cow protection has been going on since long and we will continue to work for it, VHP General Secretary, Dr. Surendra Jain said.”

Denying the statement published in the respondent newspaper, the complainant submitted that he has been quoted out of context in the news item and in fact when he was asked to comment on the Prime Minister’s statement regarding Gau Rakshaks, he declined to comment and had only said “We will not like to comment” and no question was put on ‘Dalit issue’. The complainant has also submitted that the term “fringe elements” used by the respondent for the VHP is extremely derogatory, demeaning and damaging to the reputation of an organization of national repute. The complainant vide e-mail dated 10.8.2016 drew the attention of the respondent towards the impugned publication and requested him to publish rejoinder along with the apology. In response thereto, the respondent editor, the Hindu vide e-mail dated 11.8.2016 furnished explanation and informed that there is no malafide of any kind in the reporting.

A Show Cause Notice was issued to the respondent editor, The Hindu, Delhi on 21.12.2016.

**Written Statement**

In response, Shri P. Jacob, Sr. Managing Editor, The Hindu vide letter dated 5.1.2017 submitted that the report was published without any malafide or any attempt to defame or malign any person or group. Further, the statement made by the complainant “*We will not like to comment on the issue*”, was sought to be put in perspective by the addition of the words “of violence against Dalits”, as by itself the former comment would not have been clear, and the addition was marked out by square brackets to differentiate it. The square brackets have important uses in precise journalistic writing, especially when a writer needs to add information to a quotation. They enable a writer to add explanatory information, fix obvious errors. The respondent also submitted three clippings in his support. The respondent further submitted that as the editor received an email message from the complainant on the report, he promptly replied on 11.8.2016.

**Report of the Inquiry Committee**

The matter came up for final hearing before the Inquiry Committee on 11.4.2017 at New Delhi. Shri Alok Kumar, Advocate along with Shri Neeraj Gupta appeared for the complainant while Shri Amit Baruah, Resident Editor appeared for the respondent.

The Inquiry Committee has heard the Counsel for the complainant and the representative of the respondent. In the facts and circumstances of the case including the cited journalistic writing practices, the Inquiry Committee is of the opinion that the respondent has not violated any code of conduct so as to call for action by the Council.

The Inquiry Committee, accordingly, recommends for the 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 **Dispose of** the complaint.

**Press Council of India**

Sl. No. 25

F.No.14/288/16-17-PCI

**Complainant**

Shri Saadul Hussain,  
O.S.D. to Hon'ble Chief Minister of J&K

**Respondent**

The Editor,  
Early Times,  
Jammu Edition

**Adjudication**  
**Dated 21.6.2017**

This complaint dated 26.09.2016 has been filed by Shri Saadul Hussain, OSD to Hon'ble Chief Minister of J&K against the Editor, Early Times alleging publication of defamatory, utterly malicious and false report under the caption "***Influential bank manager dictates terms to Commissioner Secretaries***" in its issue dated 23.09.2016.

It was reported in the impugned news item that "*Sources said the "influential" official of the rank of "bank manager", nicknamed "Ibne battutta", for the social media account he allegedly operates since 2010, has been calling the shots in high level meetings where, as per protocol, such junior official are not entitled to comment. Early Times learnt from reliable sources that Ibne battutta doesn't mind dictating terms to senior officials of police and civil administration during the meetings held to review law and order in Kashmir, on the boil for the past over two months. "We really feel awkward when this bank manager, obviously having no expertise in law and order, steps into bigger shoes than he is entitled to ... How can he decide on what needs to be done and where to restore normalcy and how? This is making mockery of the system," said a Commissioner Secretary, asking not to be named. He said the resentment among the bureaucracy has been so high against this "influential official" that many of the Commissioner Secretaries avoid attending such meetings when he is present. Since July 8, when Kashmir erupted in protests against the killing of militant commander Burhan Muzaffar Wani, the government has been holding regular meetings, mainly at the residence of Chief Minister Mehbooba Mufti, where the top brass reviews situation and decides future course of action to restore law and order. "But while senior officials cautiously speak only when asked to do so, this man has been calling the shots," said a senior official, privy to the meetings." It is also published that "sources said the man speaks what his masters want him to speak. "Actually he is being used to speak on something what some ministers don't want to directly tell to the meeting. He speaks his master's voice," the sources said adding "this was why some of the ministers appreciate what he speaks." Officials said last year, he was unduly" elevated as a Chief Executive Officer, though he was allegedly "too junior an officer to have been given the prestigious charge."*

Denying the allegations levelled in the impugned news item, the complainant alleged that the news item is defamatory, utterly malicious, lie based and aimed at maligning him and also indirectly aims to portray others in bad light. According to the complainant, he has never ever attended any such meeting nor has he ever been part or participant of any 'police and civil administration meetings held to review law and order in Kashmir'. He added that after publication of such false news, his house was attacked by unknown miscreants by stones and rocks, terrorising his family and incurred huge loss to property. The complainant vide letter dated 24.09.2016 drew the attention of the respondent towards the impugned publication and requested to provide proof for the publication but received no response. The complainant requested the Council to take action against the respondent.

A Notice for Comments issued to the respondent editor, Early Times, Jammu on 16.12.2016.

**Written Statement**

The respondent editor vide letter dated 4.1.2017 submitted that the newspaper has nowhere violated any journalistic ethics or code of conduct nor jeopardized anyone's life. The respondent stated that the report has neither mentioned his name nor his designation to expose his identity or risk his life. While filing the report on this sensitive issue, they ensured maintaining journalistic ethics but there was no other way out. According to the respondent, the report was actually a complaint from the senior officials in the state government. Pleading anonymity the officials had said that Mr. Hussain who is actually a bank manager "illegally" elevated to work as OSD with the Chief Minister due to his political contacts, unduly poking his nose at the high level meetings. In fact, officials said his undue interference started in April 2016, when during his first interaction with officials in Kashmir, Chief Minister Mehbooba Mufti asked Mr. Hussain to deliver a lecture on governance to the senior government officials during a function held at SKICC in Srinagar. The same can be duly verified. As senior officials had been requesting them to file a story so that Mr. Hussain is "cut to size", they as responsibility exposed the indiscipline while keeping identity of Mr Hussain concealed. The respondent further submitted that Mr Hussain in his complaint has claimed that he has "never ever" attended any meetings where "security or law and order" is discussed and to contradict this fact. The respondent attached a picture where he is seen sitting behind the Chief Minister during a meeting on law and order which was chaired by the Hon'ble Home Minister Shri Rajnath Singh himself.

### **Reply from Mr. Majid Hyderi**

Mr. Majid Hyderi, Freelance Journalist, Early Times in his reply dated 11.4.2017 filed at the time of hearing dated 11.4.2017 has submitted that when the complainant's name or designation are not mentioned in the impugned story, how did his identity get exposed or has the report risked his life. He has further submitted that the report was actually based on a complaint received from some senior officials in the state government. He has stated that the complainant claimed that he has never ever attended any meetings where security or law and order is discussed. He has attached a picture to belie the complainant's claim as he can be seen sitting behind the Chief Minister during a meeting of law and order. He alleged that the complainant is a very influential and thus wants to intimidate small journalists through multiple means including a fabricated complaint before the Press Council of India.

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

The matter came up for hearing before the Inquiry Committee on 11.4.2017 at New Delhi. There was no appearance on behalf of the complainant, despite service of notice. Mr. Majid Hyderi, Freelance Journalist appeared for the respondent.

The author of the news, Mr. Majid Hyderi has filed his reply. The Inquiry Committee has perused the complaint, the reply and other connected papers and is of the opinion that the respondent has not committed any breach of journalistic ethics so as to call for any action.

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

### **Held**

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

**PRESS COUNCIL OF INDIA**

Sl. No. 26

File No.14/712/13-14-PCI

Sh. Yusuf Ali Bohra,  
Secretary, Dawoodi Bohra Janmat,  
Udaipur(Rajasthan)

The Editor,  
Rashtrdoot,  
Udaipur, Rajasthan.

**ADJUDICATION**  
**DATED 21.6.2017**

This complaint dated 7.10.2013 has been filed by Shri Yusuf Ali Bohra, Secretary, Dawoodi Bohra Jamaat, Udaipur (Rajasthan) against the editor, Rashtrdoot, Udaipur, Rajasthan alleging publication of a public Notice under the caption "Expression of Interest" in English which is unreadable and illegible. According to the complainant the rest of the news/advertisement on the same page is very clear but the said publication is a deliberate attempt to misled the general public for grabbing the property. The complainant alleged that the respondent editor has done this so that Wakf property is transferred without any hindrance. He further alleged that it is the connivance of the respondent editor and Madarsa Tayyabiah Society so that any organization or individual could not be aware of the said noting "Expression of Interest". The complainant wrote a letter dated 3.9.2013 to the respondent editor of Rashtrdoot but the respondent did not provide legible copy of the said advertisement nor replied. The complainant requested the Council to take appropriate action against the newspaper.

**No Written Statement:**

A Show Cause Notice was issued to the Respondent editor, Rashtrdoot, Udaipur, Rajasthan on 5.3.2014 but despite a time bound reminder dated 10.7.2014 no response has so far been received from him.

**Complainant's Letter**

The complainant vide his letter dated 14.11.2016 has requested the Council to dismiss the instant complaint.

**Report of the Inquiry Committee**

Following several adjournments, the matter came up for final hearing before the Inquiry Committee on 15.5.2017 at Indore. There was no appearance on behalf of the complainant. Shri Ramjat Yadav, Office Assistant appeared on behalf of the respondent.

Taking into account, the statement made by the editor of Rashtrdoot that the copy of the newspaper annexed by the complainant was the pre-publication copy of the newspaper, by Order dated 10.1.2017, the Inquiry Committee had directed the respondent to produce the printed copy of the newspaper. This is done.

The copy of the newspaper produced today, shows that the impugned advertisement is legible. The complainant has not chosen to appear to controvert the same. Accordingly, the Inquiry Committee doesn't find any substance in the grievance of the complainant and recommends for dismissal of the complainant.

**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 **Dismiss** the complaint.

**PRESS COUNCIL OF INDIA**

Sl. No. 27

File No.14/472/15-16-PCI

M/s SOM Distilleries & Breweries Ltd.,  
Bhopal, Madhya Pradesh

The Editor,  
L.N. Star Newspaper, Bhopal

**Adjudication**  
**Dated 21.6.2017**

This undated complaint received in the Council on 12.11.2015 filed by M/s SOM Distilleries & Breweries Ltd., Bhopal, Madhya Pradesh against L.N. Star Newspaper, Bhopal for making defamatory remarks against SBDL in article “**SOM ke khilaf karwahi se bach rahe afsar**” (Officers staying away from action against SOM) was published online as well as vide print edition on 8.9.2015. According to the complainant, the article dated 8.9.2015 made following defamatory remarks against SDBL which are follows:

- a) अदालत के आदेश के उल्लंघन और धोखाधड़ी के मामले में नहीं हुई कार्यवाही
- b) गड़बड़ी मिलने के बाद भी सोम डिस्टिलेरीस एवं ब्रवेरीज़ के खिलाफ एफआईआर करने से बच रहे अफसर
- c) यूबी ग्रुप के प्रसिद्ध ब्रांड किंगफ़िशर की खाली बॉटल के फर्जी तरीके से इस्तेमाल के मामले में आबकारी विभाग सोम ग्रुप के खिलाफ एफआईआर दर्ज करने से बच रहा है सोम ग्रुप की इस धोखाधड़ी की पोल इंदौर में खुल चुकी है।
- d) सूत्रों के अनुसार सोम ग्रुप अवैध लाभ लेने के लिए इस तरह की गड़बड़ी लंबे समय से कर रहा है.
- e) गड़बड़ी के बाद अफसर कार्यवाही करने की हिम्मत नहीं जुटा पा रहे हैं

The complainant stated that all the aforesaid remarks and statements are baseless and have no substantial proof beyond it. There is no specific name of the officer or particulars related to it, has been mentioned along with such accusations. This itself makes it prima facie evident that such allegations are baseless and are made just to malign the reputation of SDBL and its officials. The complainant further submitted that the article published vide e-paper on 8.9.2015 are derogatory, defamatory, obscene, vulgar, filthy and abusive in nature with the aim to defame the Company SDBL. The complainant issued a legal notice dated 19.10.2015 to respondent editor and requested to publish unconditional apology in his newspaper and pay a sum of Rs. 10,00,00,000/- (Ten Crores only) but received no response. The complainant has requested the Council to take cognizance in the matter and admonishing and censuring the said newspaper.

A Show Cause Notice was issued to the respondent newspaper on 28.12.2015.

**Written Statement**

The respondent in his written statement dated 19.9.2016 has submitted that the instant complaint deserved to be dismissed at the very inception on the ground that the entire publication is made on the basis of the evidences available with them and nothing immaterial or derogatory has been published.

**Foot Note-** Further papers from the counsel for complainant.

He has further submitted that the publication made by him does not amount to criminal defamation as there exists no intention of the respondent to malign the reputation of the complainant but to portray reality before its readers and to make their readers cautious and vigilant from getting cheated or

deceived by any such unfair practice as adopted by the complainant towards the customers. He has requested the Council to dismiss the complaint and further impose exemplary costs on the complainant for filing such frivolous complaint in the interest of justice.

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

Following two adjournments dated 9.8.2016 and 4.10.2016, the matter came up for final hearing before the Inquiry Committee on 15.5.2017 at Indore. There was no appearance from either side.

This complaint was filed as back as on 12.11.2015. An application has been filed by the complainant for adjournment of the case. The matter has been called out. The Inquiry Committee is not inclined to accede to the prayer of the complainant for adjourning the matter. The Inquiry Committee has perused the complaint, the written statement and all the connected papers. The respondent has justified the publication of the impugned news item on the basis of the inter-departmental letters. The Inquiry Committee is of the opinion that by publishing the news item, the respondent newspaper has not violated any journalistic ethics, so as to call for action. The Inquiry committee, accordingly recommends for dismissal of the complaint.

### **Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and **Dismiss** the complaint.

**Press Council of India**

Sl. No. 28

F.No. 14/469/15-16- PCI

**Complainant**

**Vs.**

**Respondent**

Shri Sunjjoy Manohar Dahake  
Publisher, Kothrud Times,  
KothrudMitra Newspapers Pvt. Ltd.  
Pune

The Editor,  
Kothrud Times,  
Supplement of Maharashtra Times, Bennett,  
Coleman and Co.Ltd.(BCCL), Pune

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

The District Magistrate,  
Pune Collector Office, Pune

**Adjudication**  
**Dated 21.6.2017**

This complaint dated 20.11.2015 has been filed by Shri Sunjjoy Manohar Dahake, Publisher, Kothrud Times against Bennett, Coleman & Co. Ltd.(BCCL), Pune for publishing a Marathi Weekly supplement under Kothrud Times title along with their Marathi daily Maharashtra Times.

The complainant submitted that their paper, 'Kothrud Times' periodical has registered title and it's RNI Registration No. is MAHENG/2011/35991 and date of Registration is 7.3.2011. The title was verified on 30.9.2010. In spite of this, 'Bennett, Coleman and Co. Ltd'(BCCL) has started publishing a Marathi weekly supplement under 'Kothrud Times' title along with their Marathi daily 'Maharashtra Times' in Pune on every Friday since 26.6.2015. The complainant submitted that he had already sent complaint letter to RNI, SDM, Pune and SDM, Pune City on 26.6.2015 in this regard. The RNI while endorsing a copy to the complainant sent a letter to the DM, Pune requesting to initiate inquiry in the matter and inform RNI accordingly on 17.7.2015. He informed that the complainant sent letters to the DM, the SDM, Haveli Sub-Division, the SDM, Pune City Sub-Division, Pune on 17.8.2015 but no action has been taken by the respective authorities in the matter till date in spite of all these correspondence. The complainant requested the Council to take appropriate and strict legal action against Bennett Coleman and Co. Ltd., (BCCL) for the illegal use of the title 'Kothrud Times' and issue prohibitory orders to stop the illegal use of the title.

Notices for Comments were sent to the RNI, New Delhi, the D.M. and the Editor, 'Kothrud Times' BCCL, Pune on 19.1.2016.

**No Response**

In connection with above Notice, the respondent SDM, Pune sent to Council an endorsement letter dated 18.3.2016 addressed to Sub Divisional Officer, Haveli in vernacular. The Council vide letter dated 25.4.2016 requested to furnish translation of the same in English/Hindi, but received no response.

**Complainant's Further Response**

The complainant vide his further response dated 3.10.2016 has informed the Council that BCCL has appealed in the Court of Hon'ble Sub-Divisional Magistrate, Haveli Sub-Division for cancelling the declaration of Pune Mirror title on 14.11.2013. But the Pune Mirror title is in the sole custody of KothrudMitra Newspaper Pvt. Ltd. As per PRB Act, 1867 since 14.12.2010. He further

informed that now the Hon'ble Sub-Divisional Magistrate, Haveli Sub-Division, Pune has given the final verdict in this case in their favour and dismissed the appeal of BBCL on 13.5.2016. He has stated that the verification, declaration and registration process of Pune Mirror title was completed through the good office of Hon'ble Sub-Divisional Magistrate, Pune City. He has further stated that the ownership rights of Pune Mirror title are also officially and authentically allotted to KothurdMitra Newspaper Pvt. Ltd. by the RNI, New Delhi under PRB Act, 1867. He has furnished a copy of final verdict of Hon'ble Sub-Divisional Magistrate, Haveli Sub-Division, Pune for reference.

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

Following two adjournments dated 3.10.2016 and 15.3.2017, the matter came up for final hearing before the Inquiry Committee on 15.5.2017 at Indore. There was no appearance on behalf of the complainant. Shri Kunal Endait, Chief Manager along with Shri Deepak, Deputy Director, PIB, Bhopal appeared for the respondent.

The Inquiry Committee has perused the written statement and all other connected papers. It has also heard the representative of the respondent, Maharashtra Time.

It is the allegation of the complainant that Bennett Coleman & Co. Ltd. is publishing a 'Kothrud Times' as a supplement to Marathi Daily, Maharashtra Times. It is the claim of the complainant that the title, 'Kothrud Times' belongs to him and registered and verified in his favour. Despite that the Maharashtra Times is publishing Kothrud Times every Friday, since June 2015.

In the reply, the respondent has not denied that such a supplement is published but according to the respondent it has a page/column in Maharashtra Times in the name and style as Kothrud Times and the Said column/page is not used as and by way of the Title or for that matter as masthead. The respondent has further averted that Kothrud Times is not a separate publication but a description of the content published on the said page. It has been emphasised that Kothrud is a prominent residential and commercially popular area and therefore, significant number of Pune based residents are interested to know about the developments in the Kothrud area.

It is an admitted position that the complainant owns the title Kothrud Times. It is further admitted that the weekly supplement of the newspaper Maharashtra Times is published as Kothrud Times. According to the respondent, the supplement with the heading Kothrud Times is not published as a title or a masthead but shown as such only to indicate that the news on those pages is from/shares information on Kothrud area.

The Inquiry Committee has given its anxious consideration to the rival submissions and is of the opinion that the plea taken by the respondent is untenable. The Inquiry Committee has perused the supplement 'Kothrud Times' and from that it is apparent that it has been used as a title and masthead. The projection and size of the font of Kothrud Times is larger and from that one can safely infer that it has been used as a Title. In this way, the respondent Maharashtra Times has used the title Kothrud Times which does not belong to it but belongs to the complainant. In the opinion of the Inquiry Committee, the conduct of the respondent Maharashtra Times in using the title of the complaint and thereafter declining corrective step is unethical and reprehensible and therefore, needs to be censured. It is the notice of the Counsel the Bennett Coleman & Co. Ltd. had indulged in such an activity earlier. It published 'Pune Mirror' as supplement to one of the daily newspaper. Though, the said title was registered in the name of the other/person. It is only after a complainant was filed that it shipped from using the said title.

The Inquiry Committee, accordingly, recommends that the respondent newspaper, Maharashtra Times 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 newspaper, Maharashtra Times, BBCL, Pune. It further directs the respondent newspaper not to come out with the supplement under the title 'Kothrud Times'. A copy of the order be forwarded to

the District Magistrate, Pune, the RNI, I&PRD, Government of Maharashtra and the Director General, DAVP for necessary action at their end.

## **PRESS COUNCIL OF INDIA**

Sl. No. 29

File No.14/233/12-13-PCI

Ms. Varsha Vidya Vilas,  
&  
Ms. Jyotika Wale,  
Member, Action for the Rights of the Child, (ARC)  
Vishrantuadi, Pune.

The Editor,  
The Pune Mirror,  
Pune edition of Times of India.

### **Adjudication** **Dated 21.6.2017**

This complaint dated 1.3.2012 has been filed by Ms. Varsha Vidya Vilas & Ms. Jyotika Wale, Member, Action for the Rights of the Child, (ARC) Vishrantuadi, Pune through Ministry of Information and Broadcasting against The Pune Mirror, Pune edition of The Times of India for publication of a regular feature namely "Ask the Sexpert" alleging that the feature brazenly violates all the norms. The complainant averred that such a column, which is 100% adult in content, should immediately be stopped from publication in the supplement which has a place for children's corner, cartoons and games such a Sudoku etc. and if at all the said newspapers is keen to enlighten its readers on the said subjects, it can bring out a weekly supplement targeted for adults which parents or teachers can prevent the children from reading. The complainant has further alleged that there is another adult story, namely, 'Diary of a single girl' appearing in 'Times Life', a Sunday Supplement which is full of suggestive encounters with her boyfriend which is again completely inappropriate for children and youngsters that needs to be removed from the said supplement and moved to some separate adult supplement.

The complainants sought urgent steps to stop publication of these features so that further damage to already vitiated environment leading to ever-increasing crime may be checked.

A show cause notice was issued to the respondent newspaper on 1.3.2013.

### **Written Statement**

In response to Council's show cause notice dated 1.3.2013, the respondent Shri Sanjay Manohar Dhake, Editor, Pune Mirror, published by Kothrud Mitra Publications Pvt. Ltd. in his written statement dated 15.3.2013 has submitted that the information in the notice about 'Pune Mirror' publication is wrong and false. Pune Mirror periodical is a fortnightly and the publication dates are on 1st and 16<sup>th</sup> of every month. Dates of newspaper cuttings attached to notice don't match with their publication dates. In support the respondent submitted that RNI registration number.

### **Counter Comments**

A clarification was sought from the complainants who has submitted that they were absolutely clueless about the existence of two Pune Mirrors by the same name published from Pune and had obtained the registration number of Pune Mirror from the official site of Registrar of India and had given the information regarding the address and owner corresponding to the results from that site. The complainant also stated that they are surprised to know about the existence of other Pune Mirror from Council's letter.

The impugned publications were carried by Pune Mirror published by the Bennett Coleman & company of the Times of India Group. Show Cause Notice has accordingly issued.

### **Written Statement of The Times of India**

In response to Council's show cause notice dated 18.7.2013 the respondent, The Times of India in his written statement stated that the Pune Mirror publishes a daily column called "Ask the Sexpert" on question asked by readers on various issues and problems relating to health and sex. The respondent stated that Pune Mirror being a responsible newspaper has always taken initiatives and provided the society with the articles/news which is beneficial and is helpful for the society. The column "Ask the Sexpert" not only answers the queries raised by the readers, but in the process, also provides valuable information relating to health and sex to the discerning readers. The articles published are thoroughly checked and edited by the editorial team and the said column by giving information on sexual issues and problems, helps persons in getting information regarding practicing safe sex and preventing unsafe sexual practices.

The respondent further submitted that they vehemently deny the allegations made in the letters written by the complainants and requested the Council to dismiss the proceedings in the matter. The respondent requested the Council to dismiss the complaint.

### **Written Statement filed by Pune Times Mirror**

The respondent, Pune Times Mirror, The Times of India Group vide letter dated 16.11.2015 has submitted the required response giving reference to the Groups response to the Show Cause Notice dated 18.7.2013. The respondent denied each and every allegation made in the complaint and further draw the attention of the Council that there is a dispute between the parties about the ownership of the said title 'Pune Mirror' and a series of litigation before the various competent authorities has been pending orders and hearing in this regard. The respondent further informed that they have filed an application under section 8(B) of the Press and Registration of Books Act, 1867 for cancellation of declaration filed by the Kothrud Mitra Newspapers Pvt. Ltd for the title 'Pune Mirror' before the Ld. Sub-Divisional Magistrate's Court, Pune to cancel the registration granted to the aforesaid entity. The same is pending for Orders before the aforesaid court. He also submitted that they have also filed a Civil Suit bearing no. 80 of 2015 before the Hon'ble Bombay High Court against the Kothrud Mitra Newspapers Pvt. Ltd. and Mr. Sunjjoy Manohar Dahake for infringement and passing off of their registered trademark "Pune Mirror" which is pending for hearing. The respondent vehemently deny allegations of Mr. Sunjjoy Dahake that they have published Pune Mirror newspaper illegally from 2010 to 2014. The respondent prayed the Council to withdraw/dismiss the proceedings against them.

### **Response from Shri Sunjjoy Manohar Dahake, Editor, Pune Mirror**

Shri Sunjjoy Manohar Dahake, Editor, Pune Mirror, Kothrud Mitra Newspapers Pvt. Ltd. in his response dated 7.9.2015 filed at the time of hearing dated 7.9.2016 at Nagpur has submitted that the Title and Ownership Rights of PUNE MIRROR are in the sole custody of Kothrud Mitra Newspapepe rPvt. Ltd., Pune (KMNPL) since June 2010. He further submitted that Pune Mirror title (Title Code: MAHENG 11456/13/1/2008-TC) was verified for Bennett Coleman and Co. Ltd. (BCCL) on 24.1.2008. But their title was automatically de-blocked on 25.1.2010 only because BCCL did not complete the Registration process within the stipulated period of two years from the date of title verification, as per RNI rules and PRB Act, 1867. Still BCCL continued to publish a supplement

under Pune Mirror title illegally for four years i.e. from 26.1.2010 to 29.1.2014. He also submitted that as the instant complaint was with reference to a regular feature namely, "Ask the Sexpert" appearing in the illegally published supplement under Pune Mirror title of the Pune edition of the Time of India, that KMNPL are no way related to the case and therefore he has requested to drop their name from this case.

### **Response from RNI/DM, Pune**

The RNI, in response to the Council's letter dated 19.10.2015, vide his letter dated 3.12.2015 has submitted the requisite report. In the report he has stated that the title 'Pune Mirror' is registered with RNI vide MAHENG/2010/34712 dated 14.12.2010 in favour of Kothrud Mitra Newspapers Pvt. Ltd. Whereas the title 'Pune Times Mirror' is registered with RNI vide MAHENG/2014/55530 dated 6.5.2014 in favour of 'Bennett, Coleman & Co. Ltd.' He has furnished the copies of the registration details of both the publications.

The District Magistrate filed a response in Marathi but no English translation thereof was filed despite reminder.

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

Following several adjournments, the matter came up for final hearing before the Inquiry Committee on 15.5.2017 at Indore. There was no appearance on behalf of the complainants. Shri Kunal Endait, Chief Manager (Legal) along with Shri Sudipta Basu, Resident Editor appeared for the respondent.

The complainant claims to be the member of a group called the '**Action for the rights of the Child**' at Pune. They are aggrieved by the publication of a column in the Pune Mirror published by the Bennett Colman in "**Ask the Sexpert**". According to the complainant, the said column contains hundred percent adult content and the children are unnecessarily exposed to those contents. Ms. Sudipta Basu, the editor of the then Pune Mirror (now the Pune Times Mirror) has appeared before the Inquiry Committee. The Inquiry Committee gives liberty to the complainant to meet the editor of the Pune Times Mirror and apprise their view point to her. The editor has assured the Inquiry Committee that she will consider the view point of the complainant objectively and take decision in the best interest of the readers. The Inquiry Committee directs 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 **Dispose** of the complaint.

**PRESS COUNCIL OF INDIA**

F.No.14/157/16-17/PCI

S.No. 30

Dr. Satish Pawar  
Mumbai  
Maharashtra

The Editor,  
Lokmat, Aurangabad

**Adjudication**  
**Dated:21.6.2017**

This complaint dated 17.06.2016 has been filed by Dr. Satish Pawar, Mumbai against the Editor, Lokmat, Aurangabad for publication of false inaccurate, baseless, distorted and misleading news report in its supplemented dated 24.04.2016, named "Manthan" under the caption "**Disease of Medicine**" – Playing with helpless poor patients attending Government Hospital and X-Ray of health department playing with the life of poor patients. The complainant sought consideration of these impugned with reports of anterior dated between 06.04.2016 to 14.04.2016 that changed to come purchase medicine.

It is reported in the impugned news item that people staying in slums and below poverty line take treatment from public health department, but they don't get the same as departments are interested only in purchase. It is also reported in the front page news that the negligence of public Health Department is not only by the Minister, but by the Secretary and Director. It is further reported in box item that after exposing the State's public health department's medicine purchase scam, officers are suspended, enquiries started. It is reported in inner page that the newspaper had exposed 297 Crores, scam & medicine purchasing him. Besides there is no doctor at some places and no hospital at the some places and if both are there then there is no medicine, at some places and unwanted medicine is very high in stock.

Denying the allegations levelled in the impugned publication the complainant submitted that the news item published without verifying the facts. He has also submitted that the news item is inaccurate baseless, misleading and distorted. The complainant stated that while mentioning his name in the impugned news report he was never asked any explanation before publishing the report. The complainant further stated that while publishing the so called wrong doing the concerned never asked the facts and the respondent never bothered to go through relevant papers or even asked relevant information to him or the officers concerned. The complainant further stated that the respondent projected him as incompetent. According to the complainant misleading and distorted news published about his selection for the post of Director of Health Services and the claim of the respondent that the information was collected under RTI is also incorrect.

The complainant vide letter dated 26.05.2016 draw the attention of the respondent towards the impugned news report and demanded to publish and unconditional apology in front page of the newspaper, but received no response was received from the respondent.

### **No Written Statement**

A Show Cause Notice was issued to the respondent Editor, Lokmat, Maharashtra on 2.8.2016 but no response was received.

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

Following an adjournment dated 14.03.2017, the matter came up for hearing before the Inquiry Committee on 15.5.2017 at Indore. The complainant Dr. Satish Pawar, the Complainant appeared in person. Shri Gopal Joshi, Advocate appeared for the respondent.

The Inquiry Committee has heard the Complainant and the counsel for the respondent. It has perused the complaint and all other connected papers. The Inquiry Committee is of the opinion that the story on purchase of medicines and other incidental aspects had basis and thus, the respondent newspaper has not committed any breach of journalistic ethics so as to call for action.

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

**Press Council of India**

F.NO. 14/348-355/16-17-PCI

Item no. 31

<b>Complainant</b>	<b>Respondent</b>
Dr.Suneet Soni, Near Amarpali Circle, Jaipur.	<ol style="list-style-type: none"><li>1. The Editor Rajasthan Patrika,</li><li>2. The Editor, DivyaBhaskar</li><li>3. The Editor, DainikBhaskar,</li><li>4. The Editor Bhopal Samachar.</li><li>5. The Editor News 4.</li><li>6. The Editor, Time of India.</li><li>7. The Editor, Hindi Pradesh 18.</li><li>8. The Editor, RMZ Infinity.</li></ol>

**Adjudication**

**21.06.2017**

This complaint dated 20.9.2016 has been filed by Dr.SuneetSoni from Jaipur alleging publication of defamatory/derogatory news item by the respondent newspapers, namely Rajasthan Patrika, Jaipur, DainikBhaskar, Jaipur, the Times of India, Jaipur edition, News-4, Rajasthan, Bhopal Samachar, Bhopal, Hindi Pradesh-18, DivyaBhaskar, Ahmedabad & Google India PVT. Ltd. alleging that a criminal case has been registered on baseless, frivolous grounds. The complainant has submitted that he is a reputed doctor and having a good social image; he has been in the medical field for long. He has informed the Council that a criminal case arising out of FIR No. 92/2016 registered in the police station Pushkar, Ajmer dated 26.04.2016 is pending before the learned trial Court and is sub-judiced at the stage of evidence. However, this case was highlighted by both the electronic and print media right after the filing of the case where the complainant has been shown in bad light and has been portrayed as a culprit even before the Court's decision. This act of media has maligned his reputation socially and professionally. The complainant is concerned that the alleged false publications by the media may have an adverse effect on the Court proceedings.

The complainant has informed the Council that legal notices dated 15.09.2016, pertaining to the alleged publication of misleading and defamatory news item has been issued to the Editors of Rajasthan Patrika, DivyaBhaskar, DainikBhaskar, Bhopal Samachar, News-4, Rajasthan, Times of India, Jaipur edition, Hindi Pradesh-18, Google India PVT. Ltd. for

removing/deleting all the defamatory news material pertaining to him published by the newspapers which is allegedly meant for tarnishing/spoiling the reputation of the complainant. Further, vide communication dated 22.11.2016 the complainant has shared a copy of the Court order dated 8.11.2016 that states that the complainant is acquitted in the matter, however the impugned news items are still existing in the electronic media. Brief of the alleged impugned news items published by the respective respondent newspapers are given below,

<b>Srl . no</b>	<b>e-paper Date and actual report date</b>	<b>Caption</b>	<b>Newspaper (electronic version)</b>	<b>Brief of the content</b>
1	11.21.2016 (May 31, 2016)	Accused of raping patient, Ajmer doctor sent to prison	Times of India	Doctor accused of raping his patient in Pushkar is sent to jail on Monday. The news states that the accused Dr.Soni runs a private clinic 'Medi-Span' in Jaipur as reported by the Police the victim contacted the Doctor for hair loss and than started sharing messages in facebook and watsapp. While the Doctor and the victim visited Pushkar together where she was been drugged by the doctor and she lost conciousness and thereafter she was raped by the Doctor who had already fled next morning. The rape victim again on March 26 after ten days registered a complaint in Pushkar police station where the police verified the matter and seized the prescriptions which doctor had given to the patient.
2	11.21.2016 (May 30,2016)	Bhaskar.com	Dushkarmo ka aropi kakathit doctor giraptar, jail beja	States that in Pushkar's hotel a lady was drugged and raped by a Doctor who after committing the crime fled from the crime

				location next morning. The victim was a patient of the accused doctor and was consulting him for hair transplant treatment.
3	11.21.2016 (May 30, 2016)	Bhopal Samachar	Doctor ne mahila marij ko behosh kar rape kardala	In Pushkar's hotel one lady was drugged and raped by her doctor who was arrested by the Police. The victim was the accused's patient for hair transplant treatment and both planned a trip to Pushkar where in the hotel the victim was drugged by the doctor and raped by him and the doctor fled from the crime scene. The victim filed her complaint and the accused was arrested by the police.
4	11.21.2016 (30, May 2016)	News 4 Rajasthan	Hair transplant surgeon Dr. Suneet Soni arrested in ajmer.	Contents incomplete.
5	11.21.2016 (30, May 2016)	Rajasthan Patrika	Sharmsar ...doctor ki kartut, ilaj ke bahanay mahila marij ke sath kiya ganda kam.	States that a Doctor who was contacted by the victim for hair transplant treatment was victimised by the doctor and on registering her complaint the doctor was sent to jail by the concerned Court and the crime took place on 16 <sup>th</sup> April 2016 when the victim accompanied the accused Doctor to Pushkar and the crime took place there in the hotel.
Remaining three articles were covered by the electronic media and were thus not amenable to the jurisdiction of the Counsel.				

In response to the complainant's legal notices, no clarification has been published by any of the respondent newspapers and neither the news which was published in the e-papers of few of the respondent newspapers are still existing in their websites . Copies of printouts of the alleged impugned news items still existing in the e-papers of the respondents

concerning the matter has been forwarded by the complainant vide his further communication dated 22.11.2016

Therefore the complainant has pleaded the Council to take necessary legal steps against the respondent newspapers in the matter.

**Reply Filed by the Respondent**

Show Cause Notices seeking for written statement dated 23.12.2016 was issued to the respondent newspapers. A brief of the written statements filed by the respective respondent newspapers are given below.

<b>Srl.no</b>	<b>Date</b>	<b>Respondent newspaper</b>	<b>Brief</b>
1.	January 16, 2017	Times of India, Jaipur Edition	The written statement was filed by the respondent through its Lawyer which states that his client i.e., Times of India, Jaipur Edition, “denies each and every allegation made in the complaint regarding the news. It specifically denies that the news is defamatory and false as alleged. It is factual reporting based on the fact which are not denied in the complaint by the complainant”. Times of India, Jaipur edition submits that the “news was carried in good faith, in public interest, based on the first information report filed against the complainant”. Further the written statement states that as the “grievance of the complainant is that the news pertains to the subjudice matter and ought not to have been carried by the newspaper(s). There is no bar to carry news about subjudice matter unless the court has passed any directions/order for its non-publication”. The written statement further states that the complainant has shared that legal notices were issued to the respondent newspapers but had hidden the fact that Times of India, Jaipur edition has replied to the complainant where it has asked for sharing the Court order that states that the subjudice matter is not permissible by the Court to be covered by the media. Hence there was no intention whatsoever to defame or bring disrepute to the complainant and the complaint is uncalled for and is liable to be withdrawn.
2.	January 23, 2016 (date of receipt in the Secretariat)	News 4- Rajasthan	The written statement states that there has been no advertising of any kind which has given rise to biased or unfair publicity of the Court case through any social media. Nothing was published on the website of News-4 Rajasthan during the pendency of Court proceedings. The respondent further states that “a piece of information was published on the internet and on website News-4-Rajasthan conveying that the applicant has been made a victim of the criminal act. It was further mentioned that the gang also minted a

			big amount of Rs. 1 crore from the applicant by filing a false FIR. Nothing new was published during the Court proceeding and nothing ever has been published on the website which can be called defamatory for the applicant”. Therefore, the conduct of the Editor of News 4 Rajasthan is within limit and as per the code of ethics of journalism. The newspaper has further requested the Council to held the complainant for misguiding the Council for filing a “made-up complaint” against the newspaper.
A copy of the written statement of Times of India, Jaipur Edition and News 4 Rajasthan were forwarded to the complainant on 27.01.2017.			
3.	January 30,2017	Network 18	The statement states that the complainant has failed to point out or name specific story published by the Network 18 in which he has been allegedly defamed or in which any news about any sub-judice matter has been published and therefore, the complaint against Network 18 deerves to be dismissed.
A copy of the written statement of Network 18 has been forwarded to the complainant on 8.2.2017.			

A copy of the written statement of Network 18 has been forwarded to the complainant on 08.02.2017.

**Report of the Inquiry Committee:**

The matter came up for hearing before the Inquiry Committee on 15.05.2017 at Indore. Shri Om Prakash Arya, Learned Counsel appeared for the complainant whereas Shri Gopal Lal Sharma, Deputy Manager, for Patrika Shri Pradeep Singh, Editor News 4 Rajasthan and Shri Shailesh, Advocate for Google India Pvt. Ltd represent the respective respondent.

The Inquiry Committee has heard the counsel for the complainant and the representative of the respondents and has also perused the complaint, the reply and other connected papers. The complainant is aggrieved by the publication of the news of his arrest, in connection with the offense of rape. The counsel for the complainant does not deny that such a case was registered against the complainant and he was arrested with the same case. The Inquiry Committee is of the opinion that the respondent had basis to publish the news item and while doing so they have not breached any journalistic ethics.

The Inquiry Committee accordingly recommends for dismissal of the complainant.

**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 dismiss the complaint.

## **PRESS COUNCIL OF INDIA**

Item No.32

F.No.14/449/16-17-PCI

### **Complainant**

Shri K.P. Singh,  
President, Baroda Rajasthan  
KshetriyaGramin Bank,  
Ajmer, Rajasthan.

### **Respondent**

The Editor,  
DainikRashtrdoot.

### **Adjudication**

**21.06.2017**

This complaint dated 15.12.2016 has been filed by Shri K.P. Singh, President, Baroda Rajasthan KshetriyaGramin Bank, Ajmer against the editor, DainikRashtrdoot, Jaipur alleging publication of a false, misleading and defamatory news item in its issue dated 7.11.2016 under the caption “बड़ौदा राजस्थान क्षेत्रीय ग्रामीण बैंक ने किसान क्रेडिट कार्ड धारकों से 250 करोड़ की ठगी की”. It is reported in the impugned news item that Baroda Rajasthan KshetriyaGramin Bank has collected rupees 2000/- from the farmers for Kisan Credit Card in the name of processing fee and inspection. The news reports stated that the Baroda Rajasthan Kshetriya Garmin Bank maintained 785 branches in 21 districts and the bank has issued seven lakh Kisan Credit Cards. It is further reported in the news item that the bank has not followed the guidelines issued by RBI and illegally collected a sum of Rs.250 crores between 2013-2016 from 30 lakh farmers. It is also reported in the impugned news item that the Collector has given farmers assurance that he will look into the matter. He has also informed that one of the officers has intimated him that bank officer visited the land on which they gave them loan, so they charged processing & inspection fee.

Denying the allegations levelled in the impugned news item the complainant submitted that the impugned published news item is totally false, fabricated and far from the truth. The respondent published the impugned news item without verifying the facts from the bank and due to publication of defamatory news item, the bank lost its reputation in the eyes of the public which has hampered its business. The complainant vide letter dated 9.11.2016 requested the respondent to publish the contradiction of the said news item. In response thereto that Shri Mahesh Sharma, Local Editor, DainikRashtrdoot vide letter dated 11.11.2016 informed him that the news was released by Univaarta not by their own correspondent and in this regard they may contact with the news agency. The complainant vide another letter dated 21.11.2017 requested to publish contradiction of the said news item but received no response.

### **Written statement:**

In response to the Council's Show Cause Notice dated 30.12.2016 the respondent Managing Editor, DainikRashtrdoot in his written statement stated that the news item published in their newspaper was provided by Jhunjhunu based social worker, Shri RajanChoudhary through a press release. He has also enclosed a copy of the letter received from Shri RajanChoudhary. The respondent submitted that the news was published for the benefit of the farmers and it is the duty of a responsible newspaper that the any news which is for the benefit for the general public must published and there was no malafide to defame the bank at all.

A copy of the written statement was forwarded to the complainant on 14.2.2014 for counter comments.

### **Counter comments**

In response to the written statement the complainant vide his counter comments dated 3.3.2017 stated that the respondent must verify the news before publishing the same, which has not been done. The respondent by publishing false news without verifying the facts, maligned the bank in

the eyes of its customers. He has further submitted that the respondent used the name of Reserve Bank of India for sensationalizing the news. He has requested the Council to take stringent action against the respondent.

A copy of the counter comments was forwarded to the respondent on 11.4.2017 for information.

**Report of the Inquiry Committee:**

The matter came up for hearing before the Inquiry Committee on 15.05.2017 at Indore. Shri L.N. Sharma and Shri Ram Lal, Assistant Manager appeared on behalf of the complainant and Shri Ranjeet Yadav, appeared for the respondent.

The Inquiry Committee has heard the complainant and the representative of the respondent. The newspaper has in the impugned news item highlighted the plight of the farmers regarding payable fee for issuance of credit card. The Inquiry Committee is of the opinion that the impugned report is in the larger interest of the society and the country. The Inquiry Committee is further of the opinion that the respondent newspaper has not committed any breach of journalistic ethics so as to call for action.

The Inquiry Committee accordingly recommends for dismissal of the complaint with the aforesaid observations.

**PRESS COUNCIL OF INDIA**

Item No.33

F.No.14/424/16-17-PCI

**Complainant**

Shri K.P. Singh,  
President, Baroda Rajasthan  
KshetriyaGramin Bank,  
Ajmer, Rajasthan.

**Respondent**

The Editor,  
DainikNavjyoti.

**Adjudication**

**Dated: 21.6.2017**

**Facts:**

This complaint dated 21.11.2016 has been filed by Shri K.P. Singh, President, Baroda Rajasthan KshetriyaGramin Bank, Ajmer against the editor, DainikNavjyoti, Rajasthan alleging publication of a false, misleading and defamatory news item in its issue dated 7.11.2016 under the caption "किसानों से करोड़ों रुपये की ठगी". It is reported in the impugned news item that Baroda Rajasthan KshetriyaGramin Bank has collected rupees 2000/-each from the farmers who have Kisan Credit Card, in the name of processing fee and inspection. The news reports stated that the Baroda Rajasthan Kshetriya Garmin Bank maintained 785 branches in 21 districts and the bank has issued 7 lakh Kisan Credit Cards. It is further reported in the news item that the bank has not followed the guidelines issued by RBI and illegally collected a sum of Rs.250 crores between 2013-2016 from 30 lakh farmers. It is also reported in the impugned news item that the Collector has given them assurance that he will look into the matter. He has also informed that one of the officers has intimated him that bank officer visited the land on which they gave them loan, therefore, they charged processing and inspection fee.

Denying the allegations levelled in the impugned news item the complainant submitted that the published news item is totally false, fabricated and far from the truth. The respondent published the impugned news item without verifying the facts from the bank and due to publication of defamatory news item the bank lost its reputation in the eyes of the public which hampered its business. The complainant vide letter dated 9.11.2016 requested the respondent to publish the contradiction of the said news item. In response to that Shri Mahesh Sharma, Chief Editor, DainikNavjyoti vide letter dated 11.11.2016 informed him that the news was released by "Vaarta" not by their own correspondent and in this regard you may contact with the news agency. The complainant vide another letter dated 21.11.2016 requested to publish contradiction of the said news item but received no response. He has requested the Council to take action against the respondent.

**Written statement:**

In response to the Council's Show Cause Notice dated 30.12.2016, the respondent Chief Editor, DainikNavjyoti in his written statement stated that the impugned news item was provided by UNIVAARTA on 6.11.2016. He has stated that Univarta is a National Level news agency and any news provided by them does not need any verification. The respondent stated that Univaarta in their mail dated 9.1.2017 submitted that "they received the news from Shri Rajan Chaudhry, Social worker, Jhunjhunnu, who have done a study about the matter on ground level. All the contents mentioned in the news item were provided by Shri RajanChaudhary. Shri RajanChaudhary informed that he tried to contact the officers of the bank but they said "due to heavy work load they are very busy and cannot talk on the matter". Univaarta also stated that they have no intention to malign the image of the bank. The respondent stated that they have not breached any norm of Journalistic Conduct formulated by Press Council of India and the news published was in public interest and for the public. He has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 30.1.2017 for counter comments.

### **Counter comments**

The complainant in his counter comments dated 20.2.2017 submitted that their bank recovers fees from Kisaan Credit Card Holders as per provisions of KCC policy as allowed by RBI or NABARD. All banks are independent for the assessment of charges as they have approval in principal from their Board of Directors. The Banks are audited time to time by NABARD or any statutory auditors so as to ensure that requisite guidelines are followed. The complainant submitted that their bank operates with transparency and information about the recovery are made available in website [www.brkgb.com](http://www.brkgb.com) which can be accessed by public. The respondent has published the news without verifying the facts to defame the bank which has adversely affected their business. The respondent has misused the name of RBI to make the news report sensational. Further, the respondent has himself accepted that all documents for the report have not been provided by the news agency Univaarta and hence, it is clear that the report is false, baseless and based on manipulated facts. The complainant requested to take appropriate action against the respondent.

A copy of the counter comments was forwarded to the respondent on 3.5.2017 for information.

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

The matter came up for final hearing before the Inquiry Committee on 15.05.2017 at Indore. Shri L.N. Sharma, Sr. Manager and Shri Ram Pal, Assistant Manager appeared for the complainant while Shri Shivesh Garg, Chief of Bureau, Delhi appeared for the respondent.

The Inquiry Committee has heard the complainant and the representative of the respondent. The newspaper has in the impugned news item has highlighted the plight of the farmers regarding payment of fee for issuance of credit card. The Inquiry Committee is of the opinion that this is in the larger interest of the society and the country. The Inquiry Committee is further of the opinion that the respondent newspaper has not committed any breach of journalistic ethics so as to call for action.

The Inquiry Committee accordingly recommends for dismissal of the complaint with the aforesaid observations.

### **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 dismissal of the complaint.

## **PRESS COUNCIL OF INDIA**

Item No.34

F.No.14/464/16-17-PCI

### **Complainant**

Shri SurendraAnand,  
Chhatarpur,  
Madhya Pradesh.

### **Respondent**

The Editor,  
Raj Express,  
Chhatarpur..

## **ADJUDICATION**

**21.06.2017**

This complaint dated 14.12.2016 has been filed by Shri Surendra Anand, Chhatarpur against the editor, Raj Express, Chhatarpur alleging publication of false and vague news item in its issue dated 25.11.2016 under the caption "*Anand Par Darz ho Sakta hai Maarpit Ka Mukadama*". It is reported in the impugned news item that a case may be registered in the name of Shri Surendra Anand for slapping a worker, who worked under him. It is also reported in the impugned news item that a case can be registered in city police station against businessman, Shri Surendra Anand for intimidating his employee who has alleged that his employer forcibly took possession of the bike which he purchased for him and also intimidated him. In this news item the complainant has been identified by his name who alleged to have opened Bike Showroom on the land allotted for Polythine Bag Factory. The complainant further submitted that the respondent newspaper published another news item in its issues dated 7.12.2016 and 8.12.2016 under the captions "Aaj diya jayega Anand Hero Ko Bhukhand Khali Na Karney Ka Notice" and "90 Din Main Bhukhand Khali Na Karney Par Rajsat Hogi Sampatti." It is reported in the impugned news item that the court has passed the order for vacating the land allotted to Anand Hero at NH 75 for 99 years lease, because the land was not utilised for the purpose for which it was allotted. It is also reported in the impugned news item that legal action will also be taken against them, if anything found illegal. It is reported in the second news item that the Commerce Department issued notice to Shri SurendraAnand for vacating the land within 90 days otherwise the land will be acquired by the State Government.

Denying the allegations levelled in the impugned news items the complainant submitted that the news items were published to defame his name. The complainant submitted that the respondent neither took his version before publishing the impugned news item nor verified the facts from his office. The complainant vide letter dated 2.12.2016 drew the attention of the respondent towards the impugned publications and requested him to publish unconditional apology with prominence, but received no response. The complainant requested the Council to take action against the respondent.

### **No Written Statement**

A Show Cause Notice dated 9.1.2017 was issued to the Respondent Editor, Raj Express, but received no response.

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

The matter came up for hearing before the Inquiry Committee on 15.05.2017 at Indore, Madhya Pradesh. Shri N.K. Soni, Advocate appeared for the complainant whereas there was no representation on behalf of the respondent side.

The Inquiry Committee has perused the complainant the connected papers. The complainant in his complaint has nowhere averred that his employee had not lodged any case against him. Further, he has not denied the fact the land, over which the showroom for sale of motorcycle exists, was allocated for another purpose. The Inquiry Committee is of the opinion that the grievance made by the complainant is absolutely misconceived. The Inquiry Committee, accordingly, recommends for dismissal of the complainant.

**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 complainant.

**PRESS COUNCIL OF INDIA**

**Item No. 35**

**F.No.14/444-448/16-17-PCI.**

**Complaint**

Shri Rajesh Kumar Chopra,  
Member,  
R.K.C. Fans Club,  
Balod (Chhattisgarh)

**Respondents**

1. DainikBhaskar
2. NaiDunia
3. Navbharat
4. Patrika
5. Haribhumi

**Facts**

This complaint dated 28.11.2016 has been filed by Shri Rajesh Kumar Chopra, R.K.C. Fans Club, Balod (Chhattisgarh) against (1) DainikBhaskar (2) NaiDunia (3) Navbharat (4) Patrika and (5) Haribhumi for allegedly publishing one-sided objectionable news items. The captions and dates of the impugned news items read as follows:-

S.No.	Name of Newspaper	Caption	Date
1	DainikBhaskar	चार दुकाने शिफ्ट, 18 फीट चौड़ी हुई सड़क	20.11.2016
2	NaiDunia	चार घंटे में आठ फीट चौड़ी हुई वन परिसर की सड़क	21.11.2016
3	Navbharat	संजीवनी केन्द्र के रूप में संचालित होगा नवनिर्मित काम्पलेक्स	21.11.2016
4	Patrika	40 साल बाद व्यापारियों को मिला स्थाई ठिकाना	22.11.2016
5	Haribhumi	गुमटी मुक्त शहर बनाना सपना	23.11.2016

In the impugned news items it has been reported that the road between old Bus Stand and Fawara chowk has been broadened by demolishing four shops and these shops have been temporarily shifted to New Complex. The broadening of road has facilitated traffic movement in the street. It was further reported that this work being done by the Primary LaghuVanopaj Cooperative Society, Balod and its President-Shri Yagyadutt Sharma said that the shops in the new complex will also be allotted to the shopkeepers shortly.

The complainant alleged that the respondent-newspapers deliberately published one-sided news with a view to give favour to the President of Primary LaghuVanopaj Cooperative Society, Balod. The complainant further alleged that the respondent-newspapers did not refer to the Order dated 10.11.2016 of the Hon'ble High Court of Bilaspur whereby the Committee was directed to stop further construction of the disputed commercial complex.

The complainant drew the attention of the respondent-newspapers on 4.2.2017 with a request to publish clarification in the interest of the readers but to no avail. He has requested the Council to take necessary action in the matter.

Show-cause notice was issued to the respondent-Editors of (1) Dainik Bhaskar (2) Nai Dunia (3) Navbharat (4) Patrika and (5) Haribhumi on 16.2.2017.

**Written Statement of Navbharat**

The Editor, Navbharat, Raipur vide his written statement dated 10.3.2017 while denying the allegations has stated that the complaint filed by the complainant is baseless. The respondent further stated that the impugned news item was based on the information given by Shri Yagyadutt Sharma, President of Primary LaghuVanopaj Cooperative Society, Balod and published in the public interest in routine course. The respondent also stated that the same news was published in other newspapers also. The respondent informed that no payment was received by them either from Shri Yagyadutt Sharma or Forest Department for publication of impugned news. According to the respondent, the impugned news items were published in the newspapers along with photographs, which clarified it that the construction was started long before publication of impugned news items. He has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 19.4.2017.

### **Written Statement of Patrika**

The Resident Editor, Patrika, Raipur vide his written statement dated 10.4.2017 while denying the allegation has stated that the complaint is baseless and based on false statements and prima facie liable to be dismissed. While denying the allegation of favouring anybody, the respondent stated that the impugned news item was based on the information given by Shri Yagyadutt Sharma, President of Primary LaghuVanopaj Cooperative Society, Balod. The respondent further stated that it appears that the complainant has personal grudge with Shri Yagyadutt Sharma, therefore, he filed the complaint before the Press Council maliciously and prejudicially. While denying the allegation of violation of any norms the complainant stated that the impugned news item was published in public interest. He has requested the Council to dismiss the complaint.

A copy of the written statement of the Partika was forwarded to the complainant on 2.5.2017.

### **Counter Comments to Navbharat**

The complainant vide his counter comments dated 25.4.2017 while reiterating his complaint and allegations has stated that the respondent-Navbharat has not bothered to get the version of the competent authority before publishing the impugned news item. He has further stated that the written statement of the respondent-Navbharat is liable to be dismissed.

A copy of the counter comments was forwarded to the respondent on 2.5.2017.

### **Further communication of the complainant**

The complainant vide further communication dated. 15.05.2017 while denying the allegation as alleged in the written statements submitted that he has filed the complaint without any malafide. He stated that the respondent newspapers published the news reports only on the basis of the statement of individual person, Shri Yagyadutt Sharma and deliberately not even contacted the concerned important officers of forest deptt.

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

The matter came up for hearing before the Inquiry Committee on 15.5.2017 at Indore, Madhya Pradesh. The complainant appeared personally whereas Shri. Rahul R. Kadam, Assistant Manager, Nai Dunia and Shri Gopal Lal Sharma, Deputy Manager, Patrika represented for the respondent newspapers.

The Inquiry Committee has heard the complainant and the respondent. The complainant does not deny that the facts of road widening etc., stated in the impugned news item are correct. However, he states that it ought not to have highlighted the statement of one Shri Yagyadutt Sharma. The Inquiry Committee is of the opinion that the grievance made by the complainant is absolutely misconceived and it, accordingly, recommends for dismissal of the complainant.

**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. 36

F.No.14/487/16-17-PCI.

**Complaint**

**Respondent**

Shri Pradeep Kumar,  
Assistant Store keeper,  
Jodhpur Vidhut Vitran Nigam Ltd.,  
Jaisalmer (Rajasthan).

Vs. The Editor,  
Dainik Bhaskar,  
Jaipur (Rajasthan)

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 15.12.2016 has been filed by Shri Pradeep Kumar, Assistant Store Keeper, Jodhpur Vidhyut Vitran Nigam Ltd., Jaisalmer (Rajasthan) through his counsel against “Dainik Bhaskar” for allegedly publishing series of false, baseless, misleading and defamatory news items. The captions and dates of the impugned news items read as follows:-

<b>S.No.</b>	<b>Captions</b>	<b>Date</b>
1	डिस्काम के स्टोर से चुराया 10 करोड का सामान और शुरु की बिजली चोरी	22.10.2016
2	डिस्काम के घोटाले पर बोले सासंद	3.11.2016
3	डिस्काम में बिजली चोरी- जांच में दोषी पाये गये दो एईन व एक स्टोर कीपर	17.11.2016
4	बिजली चोरी में अधिकारियों की मिलिभगत, आ सकते हैं नए और मामले	18.11.2016

Series of impugned news reports alleged that involvement of DISCOM’s employees in stealing of transformers and other equipment worth Rs.10 crore from the DISCOM have come to the light. The impugned news reports highlighted the misdeeds of the complainant, who has been accused of preparing misleading report for installation of electricity poles to facilitate stealing of electricity. A case has been registered with the appropriate authority.

Denying the allegations levelled in the impugned news items, the complainant alleged that the impugned news items are false, baseless, misleading and published with a view to tarnish his image. The complainant further alleged that due to personal animosity and biased attitude towards the scheduled caste community, Shri Mangiram Jat, Superintending Engineer under a conspiracy with the connivance of the Bureau Chief of respondent-newspaper, Dainik Bhaskar has published these impugned news items. The complainant also alleged that Shri Mangiram Jat also registered a false case on 15.11.2016 under Section 267 IPC but no action has been taken so far by the police in the matter. The complainant drew the attention of the respondent-editor through Notice dated 15.12.2016 but to no avail. He has requested the Council to take necessary action in the matter.

A Show-cause notice was issued to the Editor, Dainik Bhaskar, Jaipur on 27.3.2017 but no response has been received.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.5.2017 at Indore, Madhya Pradesh. There was no appearance either from the complainant or the respondent side.

Nobody has appeared on behalf of the complainant. The Inquiry Committee has perused the complaint and the connected papers and finds no merit in the grievance of the complainant. The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

### **Held**

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

### **PRESS COUNCIL OF INDIA**

**Sl.No. 37**

**F.No.14/384/16-17-PCI.**

#### **Complaint**

Shri Damodar,  
President,  
Maa Narmada Udavahan Nahar Samiti,  
Bistan Region,  
Khargaon (M.P.)

#### **Respondent**

The Editor,  
Patrika,  
Indore (M.P.).

Shri Rahul Soni,  
Media Incharge,  
Maa Narmada Udavahan Nahar Samiti,  
Bistan Region,  
Khargaon (M.P.)

### **ADJUDICATION**

**Dated: 21.6.2017**

This joint complaint dated 17.10.2016 has been filed by Shri Damodar, President and Shri Rahul Soni, Media Incharge of Maa Narmada Udavahan Nahar Samiti, Bistan Region, Khargaon (M.P.) against "Patrika" for allegedly publishing a series of false, baseless, motivated and defamatory news items. The captions and dates of the impugned news items read as follows:-

<b>S.No.</b>	<b>Captions</b>	<b>Date</b>
1	आरोपों के घेरे में समिति अध्यक्ष	6.5.2016
2	बढी मुश्किलें, एक और शिकायत दर्ज	7.5.2016
3	किसानों से ठगी बर्दाशत नहीं, पाई-पाई का लेंगे हिसाब	14.5.2016
4	नहर के चदें की भी खुली फाइल – ठग दंपति ने उडाई लेनदारों की नींद	24.5.2016
5	जनप्रतिनिधियों ने जाना पीडित किसानों का दर्द	25.5.2016
6	वरदान साबित होगी सिंचाई परियोजना	4.6.2016
7	नर्मदा जलकी बूंद-बूंद का हो उपयोग	7.6.2016

Allegations of irregularities prevailing in the complainants' committee and embezzlement and cheating of lakhs of rupees have been levelled in the impugned news items.

Denying the allegations levelled in the impugned news items, the complainants informed that that maximum farming/agriculture area in the region is dry due to shortage of water. Therefore, they constituted their Committee with a view to help the farmers through watering schemes. As a result, an amount of Rs.515 crore has been sanctioned at the administration level. Annoyed with this, the local correspondent maliciously published false and baseless news items with a view to defame them in public at large. The complainants alleged that the correspondent used highly defamatory and unparliamentary language in the newspaper with their photographs, which were taken from the facebook.

The complainants submitted that they drew the attention of the Editor, Patrika but neither he published the contradiction nor gave any reply. They have sought justice in the matter.

Show-cause notice was issued to the Editor, Patrika, Indore (M.P.) on 8.12.2016.

### **Written Statement**

The respondent-editor, Patrika vide his written statement dated 23.2.2017 while denying the allegations, has stated that the complaint is false, baseless and based on false statements and prima facie liable to be dismissed. The respondent further stated that the impugned publications are based on the written complaints submitted to the Superintendent of Police, Khargaon by the BJP leader, Shri Ramesh More, farmers and others against the complainants, therefore, it could not be expected to be false and baseless in any manner. The respondent further stated that the statement of the complainant-Shri Rahul Soni was also published in the newspapers. While denying the allegation of violation of any norms the complainant stated that the impugned news item was published in public interest. He has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainants on 19.4.2017.

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

The matter came up for hearing before the Inquiry Committee on 15.5.2017 at Indore, Madhya Pradesh. The complainant alongwith Shri Rahul Soni, Media Incharge appeared whereas Shri Gopal Lal Sharma, Deputy Manager represented for the respondent.

The Inquiry Committee has heard the complainant and the representative of the respondent. The Inquiry Committee has perused the complaint, the written statement and all other connected papers. The Inquiry Committee notes that the respondent newspaper has published the news on the basis of the various reports given to the police. Not only that, the complainant's version has also been incorporated. The Inquiry Committee is of the opinion that the respondent newspaper has not committed any breach of journalistic ethics in publishing the impugned news item. 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**

Item No. 38

F.No.14/286/16-17-PCI

Shri Yashveer Singh,  
through Advocate  
Mohd. Khalid  
Uttar Pradesh.

The Editor,  
Dainik Jagran,  
Meerut.

**Adjudication**  
**21.06.2017**

This undated complaint received in the Secretariat of the Council on 6.9.2016 has been filed by Shri Yashveer Singh, Uttar Pradesh through his advocate against the editor, Dainik Jagran for publication of a defamatory news item under the caption “हाइवेपरचुस्त, चौकीपरसुस्त” in its issue dated 7.8.2016. It is reported in the impugned news item that while police movement on Highways has increased, in police stations, the police officials are lethargic.

The complainant submitted that the respondent entered his barrack without knocking the door and clicked his half naked photograph when he was taking rest after his duty was over. The complainant's objection on the said news item is that after duty is over, the police officials is free to do anything whatever he wants to do such as taking rest, having food etc. TThe complainant submitted that he and his family members were in distress when they saw the impugned photograph. The complainant vide notice dated 2.9.2016 drew the attention of the respondent towards the impugned publication.

**Report of the Inquiry Committee**

The matter came up for final hearing before the Inquiry Committee on 16.05.2017 at Indore; Madhya Pradesh following by adjournment dated 10.01.2017. There was no appearance on behalf of the complainant and respondent side.

Despite service of notice, neither the complainant nor the respondent has chosen to appear. The respondent has also not chosen to file any reply. It is the grievance of the complainant that the newspaper correspondent entered his barrack without knocking the door and took his half naked photograph, when he was taking rest after the duty hours. According to the complainant, the publication of half-naked photograph, has invaded his privacy. In the absence of any defence the Inquiry Committee is satisfied that when the concerned constable was resting at the barrack after duty hours, it was inappropriate for the journalist to take his photograph and publish the same in the newspaper. The Inquiry Committee disapproves the conduct of the newspaper and accordingly warns it to be careful in future. The respondent newspaper is further directed to publish the order passed by the Council in its newspaper. With the aforesaid directions, the Inquiry Committee disposes of the matter.

**Held**

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

**PRESS COUNCIL OF INDIA**

Sl. No. 39

F.No.14/450/16-17-PCI.

## **Complaint**

Shri Pushpraj Singh Baghel,  
Pushpraj Travels,  
Satna (M.P.)

## **Respondent**

The Editor,  
People Observer,  
Satna (M.P.).

## **ADJUDICATION** **21.6.2017**

This complaint dated 10.12.2016 has been filed by Shri Pushpraj Singh Baghel, Pushpraj Travels, Satna (M.P.) against "People Observer", Hindi weekly, Satna for allegedly publishing false, misleading, highly objectionable and defamatory news item under the caption "परिवहन विभाग की आंखों में धूल झोंक रहा पुष्पराज" on December 7-13, 2016 issue. It was reported in the impugned news item that the complainant has been illegally running his buses even without permit due to his political clout. The complainant is also not paying the tax arrears worth lakhs of rupees to the government and the matter is thoroughly investigated, the complainant will be behind the bar.

Denying the allegations levelled in the impugned news item, the complainant alleged that the respondent maliciously published false, misleading news item along with his photograph due to which his social and professional image has tremendously damaged. The complainant drew the attention of the respondent on 10.12.2016 but to no avail.

Show-cause notice was issued to the Editor, People Observer, Satna on 25.1.2017.

## **Written Statement**

The Managing Editor, People Observer, Satna vide his written statement dated 22.2.2017 while denying the allegation levelled in the complaint has stated that the impugned news item was based on the facts. The respondent further stated that he has no personal animosity or ill-will with the complainant. While furnishing a copy of the letter of Regional Transport Officer, Satna as a proof, the respondent stated that an amount of Rs.10,67,576/- is pending as tax arrears against the complainant and this fact may be confirmed from the Regional Transport Officer, Satna.

A copy of the written statement was forwarded to the complainant on 6.3.2017.

## **Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore.

Shri Abhishek Shukla, Advocate appears on behalf of the complainant before the Committee. The Inquiry Committee has perused the complaint, the written statement and the connected papers and is of the opinion that the respondent newspaper while publishing the impugned news item has not violated any code of journalistic ethics so as to call for action. The Inquiry Committee accordingly recommends for dismissal of the complaint.

## **Decision of the Council**

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.14/385-386/16-17-PCI.

**Complaint**

Shri Gajendra Pal Singh,  
Advocate/Secretary,  
Shaheed ChandrabhanSamarakSamiti,  
Mawana,  
Meerut (U.P.).

**Respondents**

The Editor,  
DainikJagran,  
Meerut (U.P.).

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

**ADJUDICATION**

**21.6.2017**

**Facts**

This complaint dated 13.10.2016 has been filed by Shri Gajendra Pal Singh, Advocate/Secretary, Shaheed ChandrabhanSamarakSamiti, Mawana, Meerut (U.P.) against "DainikJagran" and "Hindustan" "newspapers for allegedly publishing false, misleading, baseless distorted and defamatory news items under the captions "शहीद पुलिस कर्मियों की स्मृति में संगीत संध्या" and "शहीद प्रदर्शनी के समापन कार्यक्रम में अश्लीलता" in its issues dated 16.9.2016 and 18.9.2016 respectively.

The impugned news item Jagran reported that the Shaheed Chandrabhan Samarak Samiti organised music eve in memory of martyr police personnel without prior permission. The SDM, Mawana said that permission for organising fete was given. The organiser did not take permission for organising musical eve or Ragini programme.

In the impugned news item published in Hindustan, it was reported that 'Ragini' programme which was organised at the closing ceremony of exhibition dedicated to martyr wherein women artists performed allegedly witnessed vulgar dancer due to which organisers removed their banners from the stage.

Denying the allegations levelled in the impugned news item published in the DainikJagran, the complainant alleged that the impugned news item is false, baseless and defamatory. The complainant further alleged that the representatives of the DainikJagran, S/Shri Yogesh Aatrey and Sanjiv Pandey had malice towards the families of the martyrs and deliberately published false and baseless news with a view to tarnish the image of the Committee. The complainant also alleged that the respondent-DainikJagran false published version of the SDM.

With regard to impugned news item published in Hindustan, the complainant alleged that the respondent published the impugned news item in distorted manner with a view to tarnish the image of their Committee. Denying the allegation of any obscenity and vulgarity in the programme the complainant stated that no other newspaper published such news as reported by the paper.

The complainant alleged that both the newspapers did not publish the version of any member of the Committee and thereby violated the norms of Journalistic conduct.

The complainant drew the attention of the respondent-newspapers towards the impugned news items but to no avail. He has requested the Council to take necessary action in the matter.

### **No Reply**

Show-cause Notices were issued to the “DainikJagran” and “Hindustan” on 11.1.2017 but no response was received from either.

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

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore.

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 the respondent newspapers has not committed any breach of journalistic ethics while publishing the impugned news item. The Inquiry Committee accordingly recommends for dismissal of the complaint.

### **Decision of the Council**

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. 41

F.No.14/388/16-17-PCI.

**Complaint**

Shri Sachin Jaiswal,  
M.L.A., Dainik Lokmat,  
Sitapur (U.P.)

**Respondent**

The Editor,  
Lucknow (U.P.)

**ADJUDICATION**

**21.6.2017**

**Facts**

This complaint dated 19.10.2016 has been filed by Shri Sachin Jaiswal, MLA, Sitapur (U.P.) through his counsel-Shri Jemendra Kumar against "Lokmat", Hindi daily for allegedly publishing series of false, baseless, misleading and defamatory news items. The captions and dates of the impugned news items read as follows:-

S.No.	Captions	Date
1	धर्मऔरअधर्मकीजंगअपनेअंतिमपायदानपर...तोदागिर्योकोमिलगयाएल आईयूकासाथ	15.9.2016
2	माफियाओंकेलिएहैखुशखबरी...अगरमान्यताप्राप्तपत्रकारबननाहैतोसीता पुरआइये	26.9.2016
3	रंगबाजविधायकवउसकेपरिवारकाहैरतअंगेजकारनामा	Date not given

It was reported in the first impugned news item dated 15.9.2016 that MLA's son has got support of several senior politicians to confirm his win in election. It has been further reported that if the department like L.I.U. is supporting corrupt politicians then what will be situation of the area is easily predictable. It has further reported that Sachin Jaiswal has become popular now a days and several questions have been raised in the impugned news like why the powerful politician of Samajwadi Party, Sachin Jaiswal entered in the field of media?, who is the powerful politician accumulated wealth by selling government land at very nominal rates?, who knows that currently Sachin Jaiswal is known as a powerful politician?. In the impugned news item inter alia also reported that the filthy game played by the father-son duo over the last ten years is now exposed before the public.

In the impugned news item dated 26.9.2016, it has been reported that Sachin Jaiswal is known to be brother of Smt. Madhu Tambe, Information Director, who is most corrupt officials of the department. It was further reported that Madhu Tambe used her entire power to make Sachin a journalist despite the fact that Sachin does not know anything about the journalism.

In the last impugned news item, it was reported that Smt. Rashmi Jaiswal is the Chairman of Municipal Corporation only on papers but it is being run by her husband-Sachin Jaiswal. It was further reported that the MLA and his entire family indulges in extravagance. It was reported that the Chairman of Municipal Corporation and his MLA father-in-law are also involved in land dealings.

Denying the allegations levelled in the impugned news items, the complainants alleged that the impugned news items are false, baseless, misleading and published with a view to tarnish his and his family image. According to the complainant, he is MLA from Sitapur for last four times and his wife is also a Chairperson of Municipal Legislative Council but the Bureau Chief of respondent-newspaper, Smt. Sushma Pandey with a view to damage his and his family's political image, by using

defamatory and unparliamentary words, has levelled many serious allegations, which are false and misleading.

The complainant has submitted that he issued a Notice dated 29.11.2016 through his counsel to the respondent but to no avail. He has requested the Council to take necessary action in the matter.

Show-cause notice was issued to the Editor, Dainik Lokmat, Lucknow on 9.1.2017.

### **Written Statement**

Ms. Pratibha Singh, Editor, Lokmat, Lucknow vide her written statement dated 20.1.2017 while denying the allegation has stated that the complaint filed by him, is false and baseless. According to the respondent, neither the complainant is a MLA nor he representative of the public but on the contrary the complainant is of criminal nature and a case of land dispute and attempt to murder are registered against him and news in this regard has also been published by other newspapers. The respondent further submitted that the complainant got illegal LIU Report as photographer of "Vishwa Varta" while many cases are pending against him.. The respondent also submitted that the father of the complainant, Shri Radhey Shyam Jaiswal is MLA from Sitapur and many cases of attempt to murder and scams are registered against him. According to the respondent, on receiving the notice from the complainant, the concerned Bureau Chief was asked to provide the documentary evidence with regard to the impugned news item and also was directed verbally and writing for controlling the language. The respondent further informed that the complainant is trying to threaten and pressurise their Bureau Chief-Ms. Sushma Pandey, who has filed a written complaint before the Superintendent of Police, Sitapur in this regard. The respondent stated that the impugned news items are based on facts. The respondent expressed regret to the complainant for any hurt, if caused.

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

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore.

Despite service of notice the complainant has not chosen to appear. The respondent is represented by Shri Rajeev Thakur, Reporter. The Inquiry Committee has perused the complaint, the written statement and all the connected papers. The Complainant is aggrieved by that portion of the impugned news item, in which he has been described as rungbaaj, mafia, gunda etc. The Inquiry Committee finds that there are large number of cases pending against the complainant and in that view of the matter, the grievance made by the complainant is absolutely misconceived. The Inquiry Committee accordingly recommends for the dismissal of the complaint.

### **Decision of the Inquiry Committee**

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. 42

File No.14/458/16-17-PCI.

#### **Complainant**

Mohd. Javed,  
S/o.- Mohd. Akhtar,  
Paswan, P.O. Jalalabad,  
Nazibabad Police Station, Bijnor.

#### **Respondent**

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

## **ADJUDICATION**

**21.6.2017**

### **Facts**

This undated complaint received in the Secretariat on 27.12.2016 has been filed by Mohd. Javed, Nazibabad, Bijnor, U.P. against the editor of Dainik Amar Ujala, Meerut, UP for publishing defamatory article in its issue dated 9.12.2016 captioned "Bank me khata dharako ka hangama, chairman samarthako ne yuvak ko pita". The article states that hundreds of accounts holders were queuing in front of the Punjab National Bank, Jalalabad, branch located at Bijnor Nazibabad Road. Overcrowding at the Bank led to disruption of the traffic on the highway. Meanwhile the Chairman of Jalalabad reached the spot and had an argument with a young man in que and the Complainant herein the Chairman's supporters beat the young man which led to lots of hue and cry and later when the bank declared that they are out of cash, the account holders protested and blocked the traffic. The police was called and the situation was brought under control only after assuring the account holders that cash will be made available soon. However, the complainant alleges that the editor in order to hide the misdeeds of the Chairman of Jalalabad, UP had misreported the entire incident in the said article and in reality the complainant who is a social worker and has no political interests was present at the spot on the day of the incident took place. He requested the police authority for a fair distribution of the bank token amongst the women and men standing in the queue. The Chairman, Mr. Yakub Rain accompanied by his supporters reached the bank and created a ruckus and abused the complainant in the presence of police officials. However, these facts were not presented the news item. Also, as the complainant alleges that even after writing to the editor of the respondent newspaper to publish the clarification no response has been received by him and therefore he has pleaded the Council to take necessary action against the respondent newspaper.

### **Written Statement**

A Show Cause Notice dated 5.1.2017 was issued to the respondent newspaper to which the reply of the respondent editor states that the averments made in the complaint are not admitted except that the said news item was reported in its issue dated 9.12.2016 and the rest of the allegations as made in the complaint are not admitted and denied. According to the respondent editor the news item was a general news item and was published within journalistic norms and ethics, in good faith and on the basis of an incident happened on a particular time and the truth was reported in the news item and the name of the complainant or identity was not revealed in the reporting. The impugned news item states that Mr. Yakub Rain, Jalalabad Chairman has assaulted one of the account holders and no identity has been revealed and the same has been admitted by the complainant himself. The news item was published with an intention to inform the public about the incidents happening around them and does not intend to defame anyone. The respondent further submits that Amar Ujala is a responsible Hindi newspaper which tries to report every matter concerning the public importance in a free, fair and unbiased manner and the complainant may out of some personal grudge or vendetta has filed such frivolous complaint and the allegations made by the complainant in this regard are false. The respondent newspaper had requested the Council to dismiss the complaint.

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

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore. Despite service of notice the complainant has not chosen to appear. The Inquiry Committee has perused the complaint, the reply and all other connected papers and is of the opinion that the grievance made by the complainant is absolutely misconceived. The Inquiry Committee accordingly recommends for dismissal of the complaint.

### **Decision of the Council**

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. 43**

**F.No.14/556/16-17-PCI.**

### **Complaint**

Sh. Syeed Rizwan Ali,  
Bhopal,  
(M.P.).

### **Respondent**

The Editor,  
PariwarikDastak,  
Bhopal (M.P.)

## **ADJUDICATION**

**21.6.2017**

### **Facts**

This complaint dated 4.3.2017 has been filed by Sh. Syeed Rizwan Ali, Bhopal (M.P.) against "PariwarikDastak", Hindi daily, Bhopal for allegedly publishing false, motivated, misleading and defamatory news items under the captions "भोपाल के जे.के. प्लाजा मामले में बोर्ड चेयरमेन शौकत और पीए रिजवान को आरोपी बनाने के लिए न्यायालय में गुहार" and "काले कारनामों पर पर्दा डालने के लिए अनोखा कारनामा 77 साल के वकील को ट्रिब्युनल का सदस्य बनाया गया" in its issues dated 16.1.2017 and 18.1.2017 respectively.

It was reported in the impugned news item dated 16.1.2017 that due to registration of a case of irregularities against former Chairman of Waqf Board, the construction work of J.K. Plaza on the property of Waqf Board has been stopped. It was further reported that the Chairman, Shri Shaukat Khan was also involved in the matter but he has saved himself with the connivance of the police. It was also reported that the matter is pending consideration before the court of law and an officer, Nissar Ahmed has filed an application before the CJM Court for listing the name of the Chairman and his P.A., Rizwan Khan as accused.

In the second news item dated 18.1.2017, it was reported that the complainant is the Personal Assistant to the Chairman of Waqf Board and has links with the Waqf mafia and builders due to which he was suspended by the former CEO of the Board but later on he was reinstated after tendering apology. It was further reported that after transfer of the CEO, the Chairman again appointed him as his Personal Assistant.

Denying the allegations levelled in the impugned news items, the complainant has alleged that the respondent published false and motivated news with a view to tarnish his image. The complainant alleged that the respondent-newspaper published the impugned news item without proper pre-verification, which is irresponsible act and against the norms of journalistic ethics. The complainant submitted that he issued a Notice through his counsel to the respondent-editor on 4.3.2017 but neither the complainant furnished any documentary evidence nor published the contradiction. He has requested the Council to take necessary action in the matter.

### **No Reply**

Show-cause notice issued to the Respondent-Editor, PariwarikDastak, Bhopal on 22.3.2017 but no response has been received.

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

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore. Syed Rizwan Ali, the complainant appeared in person while there was no appearance on behalf of the

respondent. The complainant prays for adjournment of the case for production of certain documents. The Inquiry Committee is not inclined to grant that prayer.

The Inquiry Committee has heard the complainant and has perused the grievance made in the complaint. The allegation made in the complaint is absolutely vague and from that, no case for interference is made out by the Council. The Inquiry Committee accordingly recommends for dismissal of the complaint.

### **Decision of the Council**

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. 44**

**F.No.14/530/16-17-PCI.**

### **Complaint**

Sh. SarwatShareef Khan,  
Advocate,  
Bhopal (M.P.).

### **Respondent**

The Editor,  
PariwarikDastak,  
Bhopal (M.P.)

## **ADJUDICATION**

**21.6.2017**

### **Facts**

This complaint dated 8.2.2017 has been filed by Shri SarwatShareef Khan, Advocate, Bhopal (M.P.) against "PariwarikDastak", Hindi daily, Bhopal for allegedly publishing false, motivated, misleading and defamatory news item under the caption "काले कारनामों पर पर्दा डालने के लिए अन्नेखा कारनामा 77 साल के वकील को ट्रिब्युनल का सदस्य बनाया गया" in its issue dated 18.1.2017. The impugned news item reports about the alleged corrupt activities of the Waqf Board. According to the impugned news item, setting aside all rules and regulations of Waqf Board, a 77-year old advocate-Shri Ayyub Khan has been appointed as Member of Waqf Tribunal. It was further reported that in all of Waqf Tribunal, Advocate Sarwat Shareef (complainant) is also important player in the game of corruption prevailing in the Waqf. After being appointed as member-Ayyub Khan without taking any permission from the Board has referred 90% matters to the Complainant at his own level, which is illegal. According to the impugned news report, the complainant also played an important role in appointing Shokat Khan as President of the Board. The complainant is also responsible for loss of Rs.8 crore to the property of the Board. This matter is pending consideration before the court of law and an application for listing the complainant as accused has also been filed.

Denying all the allegations levelled in the impugned news item, the complainant has alleged that the respondent published false and motivated news with a view to tarnish his image. The complainant alleged that the respondent-newspaper published the impugned news item without proper pre-verification, which is irresponsible act and against the norms of journalistic ethics. The complainant submitted that he issued a Notice through his counsel to the respondent-editor on 25.1.2017 but neither the respondent furnished any documentary evidence nor published the contradiction. He has requested the Council to take necessary action in the matter.

### **No Reply**

Show-cause notice issued to the Respondent-Editor, PariwarikDastak, Bhopal on 22.3.2017 but no response has been received.

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

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore. Shri Sarwat Shareef Khan, the complainant appeared in person while there was no appearance on behalf of the respondent. The complainant prays for adjournment of the case for production of certain documents. The Inquiry Committee is not inclined to grant that prayer.

The Inquiry Committee has heard the complainant and has perused the grievance made in the complaint. The allegation made in the complaint is absolutely vague and from that, no case for interference is made out by the Council. The Inquiry Committee accordingly recommends for dismissal of the complaint.

### **Decision of the Council**

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. 45

F.No.14/531/16-17-PCI.

### **Complaint**

Sh. Ayyub Khan,  
Member,  
Madhya Pradesh Waqf Tribunal,  
Bhopal (M.P.).

### **Respondent**

The Editor,  
PariwarikDastak,  
Bhopal (M.P.)

### **Adjudication**

**21.06.2017**

This complaint dated 9.2.2017 has been filed by Shri Ayub Khan, Member, Madhya Pradesh Waqf Tribunal, Bhopal (M.P.) against “PariwarikDastak”, Hindi daily, Bhopal for allegedly publishing false, motivated, misleading and defamatory news item under the caption “काले कारनामों पर पदो झलने के लिए अनोखा कारनामा 77 साल के वकील को ट्रिब्युनल का सदस्य बनाया गया” in its issue dated 18.1.2017. It was reported in the impugned news item that to cover up the black deeds prevailing in the Waqf Tribunal, a 77 year old advocate-Shri Ayyub Khan (complainant) has been appointed as Member of Waqf Tribunal violating the Waqf Act. An advocate, Mohd. Mukhtar filed a Writ Petition in this regard before the Hon’ble High Court but later on he withdrew the same.

Denying all the allegations levelled in the impugned news item, the complainant has alleged that the respondent published false and motivated news with a view to tarnish his image. The complainant alleged that the respondent-newspaper published the impugned news item without proper pre-verification, which is irresponsible act and against the norms of journalistic ethics. The complainant submitted that he issued a Notice under Section 500 IPC through his counsel to the respondent-editor on 1.2.2017 but neither the complainant furnished any documentary evidence nor published the contradiction. He has requested the Council to take necessary action in the matter.

### **No Reply**

Show-cause notice was issued to the Respondent-Editor, PariwarikDastak, Bhopal on 22.3.2017 but no response has been received.

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

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore. Syed Rizwan Ali, representative appeared for the complainant while there was no appearance on behalf of the respondent. The complainant prays for adjournment of the case for production of certain documents. The Inquiry Committee is not inclined to grant that prayer.

The Inquiry Committee heard the complainant and has perused the grievance made in the complaint. The allegation made in the complaint is absolutely vague and from that, no case for interference is made out by the Council. The Inquiry Committee accordingly recommends for dismissal of the complaint.

### **Decision of the Council**

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. 46**

**F.No.14/365/16-17-PCI.**

**Complaint**

**Respondent**

PanditOnkar Dubey,  
Founder,  
Maa Narmada Maha Aarti Samiti,  
Jabalpur (M.P.)

The Editor,  
News Trap Weekly,  
Jabalpur (M.P.)

**ADJUDICATION**

**21.6.2017**

**Facts**

This undated complaint, received in the Secretariat of the Council on 13.10.2016 has been filed by PanditOnkar Dubey, Founder, Maa Narmada MahaAartiSamiti, Jabalpur (M.P.) against “News Trap Weekly” for allegedly publishing false, misleading and defamatory news item under the captioned “नर्मदा महाआरती में 75 लाख का घपला” in its issue dated 25.6.2016. Allegation of embezzlement of donation approximately amounting to Rs.75 lakhs by the members of MahaAartiSamiti has been levelled in the impugned news item.

While denying the allegations, the complainant has alleged that the respondent maliciously published false, misleading and defamatory news item. The complainant has submitted that he drew the attention of the respondent 20.8.2016 and requested him to publish contradiction but to no avail. He has requested the Council to take necessary action against the respondent.

**No Reply**

Show-cause Notice was issued to the Editor, News Trap, Jabalpur on 8.12.2016 but no response has been received.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 16.5.2017 at Indore. Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and the reply filed by the respondent today. In the facts and circumstances of the case, the Inquiry Committee directs the complainant to give his version to the respondent newspaper. The complainant doing so, the respondent newspaper shall publish his version after necessary editing. The Inquiry Committee directs for disposal of the complaint with the aforesaid directions.

**Decision of the Council**

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.

**PRESS COUNCIL OF INDIA**

Sl.No. 47

F.No.14/434/16-17-PCI

**Complainant**

Shri Somnath Pawar,  
Manager, Saint Shri Asaram Ji,  
Gurukul, Chhindwara,  
M.P.

Vs.

**Respondent**

The Editor,  
Jabalpur Express,  
Chhindwara.

**ADJUDICATION**

**Dated: 21.6.2017**

This complaint dated 5.12.2016 has been filed by Shri Somnath Pawar, Manager, Saint Shri Asaram Ji, Gurukul Chhindwara against the editor, Jabalpur Express alleging publication of a news item under the caption “संस्कार भवन में चढ़ रही संस्कारों की बलि ” in its issue dated 28.11.2016. It is reported in the impugned news item that the reports of affairs amongst the teachers are now a subject of discussions amongst the students of famous Gurukul situated at Parsiya Road. It is also reported in the impugned news item that the Institution which claims to be a renowned institute for sacrament/refinement of children, nowadays has been in spotlight for obliterating them. It is also reported in the impugned news item that the management is also not taking any action in the matter.

The complainant submitted that the editor of Jabalpur Express has published this false, baseless and defamatory news item about the Institute and misguided the general public. The respondent very well knows that only one Gurukul is located on the place mentioned in the impugned news item and the same belongs to “Sant Shri Asahram Ji Gurukul”. The Gurukul is of National and International standard and large number of students are studying here. The complainant submitted that the respondent published the impugned news item intentionally with a motive to blackmail for money. The respondent has defamed the Gurukul and denigrated its reputation in the eyes of public and society. The complainant vide notice/letter dated 29.11.2016 drew the attention of the respondent towards the impugned publication and requested him to publish clarification/contradiction of the same, but no clarification/contradiction has been published.

**No Written Statement**

A Notice for Comments was issued to the respondent editor, Jabalpur Express on 26.12.2016, which was received back in the secretariat with postal remarks “refused to accept”.

A Show Cause Notice was issued to the Respondent Editor, Jabalpur Express on 31.1.2017 and same was e-mailed to them on Feb. 8, 2017, but received no response.

**Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 15.5.2017 at Indore, Madhya Pradesh. There was no appearance either from the complainant side or the respondent side.

Nobody appears on behalf of the complainant. The Inquiry Committee has perused the complaint and all the connected papers and finds no merit in the complaint 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 decides to dismiss the complaint.