

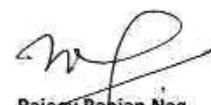
Press Council of India

New Delhi

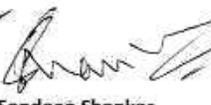
REPORT OF THE ELECTION COVERAGE
MONITORING COMMITTEE ON PAID NEWS
DURING GUJARAT ELECTION - 2012

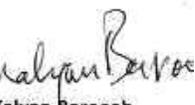
(Adopted by the Council on 18.02.2013)




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Kalyan Barooah
(Member)

पहले से बाजार की चुनौतियों का सामना कर रहे मीडिया पर पेड न्यूज के बढ़ते चलन से संसदीय लोकतंत्र को खतरा उत्पन्न हो गया है। गुजरात में संपन्न हाल के विधान सभा चुनाव में पेड न्यूज के हावी व्यापार ने लोकतांत्रिक संस्थानों को कमजोर किया है।

अखबारों के अलावा टेलीविजन चैनलों ने चुनाव में उतरे उमम्दवारों के दावे को एक पक्षीय खबर के तौर पर परोस कर न केवल मान्य पत्रकारीय गरिमा की अवहेलना की बल्कि मतदाताओं के बीच भ्रम लिए पैदा करने की कोशिश की है। जैसे लेकर खबरें छापने के कारण मतदाताओं के जानने के संवैधानिक अधिकार को भी ग्रहण लगा है।

गुजरात का दौरा कर लौटी प्रेस काउंसिल की जांच टीम ने महसूस किया कि मीडिया प्रबंधनों ने पत्रकारीय पेशे की पवित्रता के विपरीत उसने धन कमाने के लिए मीडिया माध्यमों का जम कर दोहन किया। मीडिया संस्थानों द्वारा राज्य में चुनाव के दौरान पेज न्यूज के जरिए धन उगाही के लक्ष्य तय किए गए थे। राज्य में मीडिया माध्यमों में एक पक्षीय खबरों को सीधे तौर पर सुंघा जा सकता था। इस मुहिम में अखबारों के अलावा बड़े पैमाने पर टीवी चैनल भी शामिल थे। हालांकि अनेक इमानदार पत्रकार और मीडिया संस्थान इस प्रवृत्ति से शर्मसार भी थे। अखबार मालिकों के सामने वे मजबूर थे। दैनिक भाष्कर ने लोकतंत्र की गरिमा को आक्षुण रखने के लिए सार्वजनिक तौर पर पेज न्यूज की मुहिम में शामिल होने से होने से मना कर पत्रकारीय गरिमा को बनाये रखने की कोशिश की। यह एक सराहनीय पहल थी। लेकिन अनेक ऐसे स्थापित और पुराने अखबार पेज न्यूज को उचित ठहराने की कोशिश में भी सक्रिय दिखे। मालिक और प्रबंधन के दबाव के कारण विरोध करने या इस प्रवृत्ति का हिस्सा बनने के लिए पत्रकार प्रबंधन की तरफ से मजबूर किए गए थे।

मीडिया के इस अनैतिक धंधे ने समाचार मीडिया को उसकी लोकतान्त्रिक भूमिका और जिम्मेदारियों से दूर करना और सत्ता, बड़ी पूंजी और ताकतवर लोगों की सेवा में लगाना शुरू कर दिया है। इसने न सिर्फ पाठकों व दर्शकों के संवैधानिक अधिकारों का उल्लंघन किया है बल्कि उनको धोखा भी दिया है। लेकिन पेड न्यूज का यह खेल सिर्फ चुनावों के समय खबरों की खरीद-फरोख्त तक सीमित नहीं रहा है। इसका दायरा बहुत बड़ा है और यह धीरे-धीरे सभी तरह की खबरों, फीचर और संपादकीय विचारोंशामिल से लेकर टीवी पर होने वाले चर्चाओं में भी शामिल होने से मीडिया की निष्पक्षता को चूना लगा है।

REPORT OF THE ELECTION COVERAGE MONITORING COMMITTEE ON PAID NEWS DURING GUJARAT ELECTION.

Hon'ble Justice Markandey Katju, Chairman, Press Council of India, following receipt of reports of paid news during the on-going Himachal Pradesh State Assembly elections, decided to set up a four member Election Coverage Monitoring (ECM) Committee to undertake an extensive tour of Gujarat, for thorough investigation of coverage to scrutinize incidents of paid news or any incident of violation of press freedom in connection with Gujarat Elections with Shri Rajeev Ranjan Nag as convenor. The other member of the Team included Neeraj Bajpai, Sondeep Shanker and Kalyan Barooah. A local journalist Dr. Amarendra Jha

A brief Note

In the Assembly Elections in Gujarat, held in two phases on December 13 and 17, 2012, a number of cases of suspected “paid news” in the media both print and electronic were detected by the Election Commission. The Election Coverage Monitoring Team made an attempt to evaluate the situation about prevalence of paid news in the media.

According to Chief Election Commissioner V S Sampath in the run-up to the Assembly Polls 2012 in Gujarat, at least 444 suspected cases of paid news were reported in Gujarat, leading the EC to issue notices in 224 of the cases. Gujarat's Chief Electoral Officer Anita Karwal soon after conclusion of second Phase of polling on December 17, 2012, stated that 126 confirmed cases of paid news were identified, with 61 candidates in poll fray admitting to have paid for such news in electronic and print media.

PCI'S INITIATIVE

Following appointment of the Committee vide a notification dated December 4, 2012 (copy annexed), the team met informally on December 08, 2012 at Delhi to work out a schedule of the visit and to discuss the strategies to be adopted. It may be mentioned here that the job was somewhat difficult. This being the first-ever such committee to be appointed by the PCI to take stock of the menace during an election, the Committee had to chart its own course and after a mutual discussion among the members, the Committee decided to split itself in two groups and tour the various major publication centres in Gujarat.

The Committee also decided to hold a public hearing at Ahmedabad on December 15, 2012 to hear complaints and submissions from concerned parties including political parties. The team also decided to meet the Returning Officer of the districts where major publications were centred, besides editors and senior journalists to get the full and balanced picture.

A major hurdle was lack of network spread over the State to detect suspected cases of paid news. It was hence decided to rely on the EC, which has set up an elaborate network at the district level to detect paid news. The EC has been kind enough to extend full

cooperation to the PCI Committee. The figures of suspected paid news have been gathered from EC.

Accordingly the first group comprising Neeraj Bajpayee and Sondeep Shankar arrived in the State on December 11, 2012 and on the next day, the team left for Saurashtra region. The team visited Rajkot and met a cross-section of the stakeholders.

The second team comprising Rajeev Ranjan Nag and Kalyan Barooah arrived in the Ahmedabad on December 13 and on the same day left for Vadodara. The team met the officials of the Vadodara district and visited the Media Certification and Monitoring Centre (MCMC) set up to monitor 'paid news' cases in Electronic and Print Media.

In keeping with the decision to work closely with the Election Commission, the Committee tried to meet officials directly involved with the elections to get their valuable inputs regarding the phenomenon of Paid News. The officials gave their views on detection of paid news.

In almost all of our meeting, it was impressed that the Press Council of India should actively get involved with the process given the seriousness of the issue and widespread practice of paid news. The officials wanted specific guidelines on what could be defined as paid news. In absence of senior and experienced journalists to guide the EC, the job of detecting paid news has become even more challenging. Some of the officials pointed out that the guide-lines prepared by the EC needed further fine tuning.

The EC has in each of 26 districts in Gujarat, constituted Media Certification and Monitoring Committee (MCMC), with officials from the State's Information Department, to monitor the news items both in electronic and print media. MCMC had been in operation since October 4, 2012. On the basis of guidelines from the Election Commission of India (ECI), MCMC initiated procedural functioning to identify cases of 'paid news'.

EC's Guidelines

The MCMC was advised that for monitoring 'paid news' cases, they should follow the below-

1. Identical articles with photographs and headlines appearing in competing publications carrying by-lines of different authors around the same time,
2. On the same page of specific news papers, articles praising competing candidates claiming that both are likely to win the same election,
3. News item stating that one candidate is getting the support of each and every section of society and that he would win elections from the constituency,
4. News item favouring a candidate, not carrying any by-line,

5. News paper publishing a banner headline stating that a party/candidate is ready to create history in the state/constituency but not carrying any news item related to this headline,
6. News item saying that the good work done by a Party/Candidate had marginalized the electoral prospects of the other party/candidate in the state with each and every sentence of the news item in favour of the party candidate,
7. There are instances of fixed size news items, each say of a length of 125-150 words with double-column photo. News items are seldom written in such a rigid format and size whereas advertisements are most often,
8. In specific news papers, multiple font types and multiple drop case styles noticed within the same page of a single news paper. This happens because just about everything- the layouts fonts, printouts, photographs – provided by candidates who have paid for slots in the pages of the news papers.

COMPLICATIONS

It was point out to the PCI Committee that there were many a grey area and the risk of genuine election stories being dubbed as paid news have become higher. It was also gathered by the PCI team that the paid news items itself has undergone changes and paid for news are done by professional hands to escape detection.

With the EC maintaining a hawk's eye like approach, the job of working on paid news have gone to professional PR agencies. Some of the officials told the Committee that the deals were sealed in Ahmedabad and its various editions were told to tow a particular line. It was also brought to the notice of the EC team that Surat being a large commercial city witnessed more cases of paid news than other publication centres.

Some of the Editors and journalists admitted that the paid news contract deals are signed at the top level and all they get are time to time 'instructions' to carry a particular news item or photographs. However, they claimed that the phenomenon of paid news in Gujarat election has come down significantly as compared to previous elections in the State. They cite two reasons; one the reluctance of the national level political parties to indulge in paid news and the strict vigil of the EC.

Further, in Gujarat it was observed that some publishers while denying about indulging in paid news, boosted about favouring a particular candidate because of long association and close rapport. The idea of professional journalism has been given a neat burial over favouritism. Some editors revealed about a practice in Gujarat where instead of the word 'adv't' a figure of triple zero was carried below a news item to indicate paid news.

While some of the explanations were old and oft-repeated, some editors claimed that it

was not PCI's job to involve itself in such matters, as it was editor's prerogative to carry or not carry any particular news item.

FINDINGS

The PCI Team discovered during numerous interactions in Ahmedabad, Rajkot, Vadodara and Surat there were indeed some instances of 'paid news'.

For instance, a particular publication *Gujarat Guardian", which came into existence just a couple of months before the Assembly Polls (2012) in Gujarat, caught our attention, because on same page both the rival candidates had been covered with prediction of each one's definitive victory.

In another newspaper, **"Sansdesh", a news items stated that the candidate definitely headed for a 'Hat Trick' of defeat this time. On enquiry and study of reports carried out by this newspaper, indicated of its being 'partial' to one political party.

Both the publications have a large circulation base and popular as well. Other newspapers with massive circulation base too were reportedly found to have indulged in 'paid news' items.

On the basis of reactions from the general readers, regional editions of national newspapers, were also found to have indulged in the 'paid news' activity, but on closer scrutiny, it was found to be handiwork of individual reporters and bureau heads and the concerned candidates in poll fray.

During interaction with District Magistrate (DM) of Vadodara, Vinod Rao the team was apprised about the measures taken by them to monitor paid news. The PCI committee was taken around the MCMC, which appeared to function on a professional manner. The newspapers and TV news channels were being monitored round the clock and suspected paid news were marked and recorded before being forwarded to the Returning Officer for further action.

The DM of Surat, Jaiprakash Shivhare also met the EC Committee and exchanged notes. He expressed the opinion that the guidelines needed to clearer to enable them to work more professionally. He pointed out that all election news items needed not necessarily be bracketed as paid news, as people had a right to know about the candidate. He requested the PCI to work out a more comprehensive guideline in this regard.

Members of the Press Council Committee on paid news visited Rajkot on Dec 12, 2012, a day ahead of polling in Saurashtra Region and interacted with a number of news papers editors /owners and district officials to gather information about the suspected cases of paid news.

District officials, tasked with supervising the election process in the region, said they were keeping a close watch on news papers in Rajkot, which was main hub of the full

fledged eveningers, which are elaborate papers like morning news dailies.

Officials said they had forwarded about twenty cases of suspected paid news cases to Returning officers who have issued notices to candidates to find out their versions, so that further action could be initiated.

Rajkot District Magistrate, Rajender Kumar, IAS said they had referred some cases to the returning officers and observed in number of cases newspapers owners/editors said that They were carrying news of candidates as they –both *paperswalas* and candidates- interacted with each other in various functions and programmes and develops good relations, so it was unfair to say that all news published during the polls was paid news.

The PCI team met Managing Editor of Akila daily, Rajkot, Kirit Ganatra , and found him extremely critical of paid news. He said a number of candidates' supporters had met him for paid insertions, but his papers avoided such news and interviews.

It was noticed that some times, paid news is published in some Rajkot based papers with a triple zero mark that is equivalent to “Advt” word written at the end of the news. It is quite common practice here. District officials also confirmed such practices but refused to name any news paper.

Mr. Krann P Shah of Sanj Samachar, minced no word to assert that they had to carry news about candidates due to personal rapport and denied that his paper was indulging in paid news. Sha's paper was a bulky evening paper and was carrying a lot of items of individual candidates, but he was insistent that no money was exchanged for such news stories.

District officials chose not to part with suspected paid news details, saying it was too early to do that as notices had been issued and replies were awaited.

Joint Director Information of regional information office N.A. Parmar, said they were keeping a close watch on paid news both in print and Visual media, but details could not be given right now.

Interestingly, Mr Deepak Rajani of Aajkal daily, an evening paper of Rajkot, was in a denial mode about paid news and said his paper was carrying lot of items out of personal relationship, which is very significant in Gujarat social set up. He said his own brother was contesting from Rajkot and asked how he could expect money from his brother.

Mr Deepak, who is also in a real estate business, dismissed suspected paid news complaints and laced his claim that he had not charged any thing from a multi-level jewellery shop opened on Diwali here though a detailed item was carried in his paper.

Mr Kana Bantwa, executive editor of *Divya Bhaskar*, a Gujarati daily from Bhaskar news paper group, told team members that his paper had carried a front page editorial against paid news and also publicly declared in advertisement in paper that his paper would not

carry any paid news.

Team members collected a number of papers from the region and submitted to the Press council for further study and investigations.

Deeper scrutiny of these newspapers in regard to content of news items during Assembly Elections is needed to reach at definitive conclusion.

EC's FINDINGS

At least 126 confirmed cases of 'paid news' were identified by the MCMC and the State's election authority, on the basis of guidelines from the ECI .

This is indicative of how a section of media operated and used by the political parties/candidates. Moreover, 61 candidates admitted having paid for news items in electronic and print media. A thorough and in-depth analysis of each news item carried in print media and telecast in channels would substantiate the observation made by the PCI team that 'paid news' cases were rampant in Gujarat.

RECOMMENDATIONS

1. The Committee is of the opinion that the PCI should take the initiative and upon receipt of the final report on paid news in Gujarat election, suo-moto notice should be issued against the news publication for indulging in cases of suspected paid news.
2. The Committee is of the view that the issue of paid news needs to be revisited again by the PCI. It is recommended that a broad-based PCI Committee with the authority to co-opt experts drawn from various fields should be immediately constituted to look into the various aspects of paid news, in view of the pending elections in various States and the General election in 2014.
3. The PCI should take the initiative and draft revised guidelines on what could be described as Paid News for the benefit of the EC and its officials.
4. The EC should be advised to hold work-shops on suspected paid news for the field officials ahead of elections in any State. Media experts, editors and senior journalists can be drafted to brief the officials tasked with conducting elections at the Centre and more particularly at the State-level on paid news both in electronic and print media.
5. The full supremacy and autonomy of the office of the Editor should be restored. The measure would go a long way in preventing the paid news and editors succumbing to pressure from owners and advertisers.
6. Like Election Observers, appointed by the Election Commission of India, there should be Media Observers, comprising senior journalists from outside the concerned states,

going to polls. Media Observers be stationed periodically in the concerned state from the time the Code of Conduct begins till the final day of voting. PCI should have a mechanism to have a list of dedicated and sincere journalists, for conducting the duty as Media Observers, in not so familiar regions. Media Observers be made accessible to all stakeholders, including man on the street, for registering any case of 'paid news'.

7. In the recent past, major political parties and 'resourceful' candidates as well, have been in practice of having 'elaborate media centres' region wise. For example, for 2012 Assembly polls in Gujarat, corporate-like media centres were set up in various centres of Gujarat, as part of poll strategy by the political parties. There should be close monitoring on these media-centres, as most likely 'nexus' is established from these Media Centres of political parties, for 'favourable' reports both in print and electronic media.

8. Public hearings by PCI appointed Committee be held in each region at regular intervals, for all those concerned to register any complaints, regarding misuse of media and paid news. The hearings should be conducted a number of times, say fortnightly, during the period from beginning of Model Code of Conduct and final day of voting. An elaborate follow-up should be done, after each hearing. With actions taken/suggested reports being made available in the public domain.