

Introduction

The Press Council of India is a statutory quasi-judicial autonomous authority re-established in the year 1979 under an Act of Parliament, Press Council Act, 1978 with the two fold objects of preserving the freedom of the press by maintaining and improving the standards of newspapers and the news agencies in India. It was first set up in 1966 under the Indian Press Council Act, 1965, on the recommendations of the first Press Commission with the identical twin objects. The 1965 Act was, however, repealed in 1975 and the Press Council was abolished during emergency. Thereafter, a new Act was enacted on the similar lines as the Act of 1965 and the Press Council was re-established under it in the year 1979.

The Council is a body corporate having perpetual succession comprising of a Chairman and 28 members. While the Chairman has, by convention, been a retired judge of the Supreme Court of India who is nominated by a Committee consisting of a Chairman of the Council of States (Rajya Sabha), Speaker of the House of People (Lok Sabha) and a person elected amongst themselves by the 28 members of the Council. Of the twenty eight (28) members, thirteen (13) represent the working journalists, of whom, six (6) are to be editors of newspapers and remaining seven (7) are to be working journalists other than editors. Six (6) members are from among persons who own or carry on the business of the management of the newspapers, two (2) each representing the big, medium and small newspapers. One (1) is from among persons who manage news agencies. It has five (5) members as representatives of the two Houses of Parliament, three (3) nominated by the Speaker of the Lok Sabha and two (2) nominated by the Chairman of the Rajya Sabha to represent readers interest. It has three (3) members nominated from the University Grants Commission, Bar Council of India and Sahitya Academy representing the fields of education, law and literature respectively.

The objects of the Press Council of India as embodied in Section 13 of the Act are to preserve the freedom of the Press and to maintain and improve the standards of newspapers and news agencies in India. The Act also confers an advisory role on the Council in that it can, either suo-motu or on a reference made to it by the Government under Section 13 (2) of the Act, undertake studies and express its opinion in regard to any bill, legislation, law or other matters concerning the Press and convey its opinion to the Government or the persons concerned. Also, in the matters of public importance concerning its statutory responsibilities, the Council may suo motu take cognizance and constitute a Special Committee to make an on-the spot inquiry.

In furtherance of its objects defined under Section 13 of the Act, some of the important functions which the Press Council is required to perform are, to help newspapers and news agencies to maintain their independence; to build up a code of conduct for newspapers, news agencies and journalists in accordance with high professional standards; to ensure on the part of the newspapers, news agencies and journalists the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities; to keep under review any development likely to restrict the supply and dissemination of news of public interest and importance; to promote a proper functional relationship among all classes

of persons engaged in the production or publication of newspapers or in news agencies; and to concern itself with development such as concentration of or other aspects of ownership of newspapers and news agencies which may affect the freedom of the press.

The *raison d'être* of this body is rooted in the concept that in a democratic society, the Press needs to be simultaneously free and responsible. Thus, it acts in a higher domain of ethical values and standards. In furtherance to this aspect, it has been framing up code of conduct for newspapers, news agencies and the journalists in conforming with high moral and professional standards. Its purpose is not only to act as a watch dog on the press but also to enthuse a new perspective into journalistic fraternity. The Council constantly assays to keep the press devoid of unethical writings² and also the Council expends its moral authority to instil ethics into the journalistic sodality which is always higher plane than law.

The Council discharges its functions primarily through adjudications on complaint cases received by it, either against the Press for violation of journalistic ethics or by the Press for interference with its freedom. Where the Council is satisfied, after inquiry, that a newspaper or a news agency has offended against the standards of journalistic ethics or public taste or that an editor or working journalist has committed any professional misconduct, the Council may warn, admonish or censure them or disapprove of their conduct. The Council is also empowered to make such observations as it may think fit in respect of the conduct of any authority, including Government, for interfering with the freedom of the press so prescribed under Section (4). The decisions of the Council are final and cannot be questioned in any court of law.

The Council being a body set up under an Act of Parliament gets a substantial part of its fund by way of grants-in-aid from the Central Government, after due appropriation by the Parliament, as also it has its own funds by way of the fee collected by from newspapers on a graded structure and other receipts.