

Provision of the Press Council Act. for nomination of members

Following are the provisions of the Press Council Act, 1978 for Nomination, Term and Resignation of the Members of the Council:

Section 5 Composition of the Council

Sub Section (1) The Council shall consist of a Chairman and twenty-eight other members.

Sub Section (3) Of the other members-

Clause (a) thirteen shall be nominated in accordance with such procedure as may be prescribed from among the working journalists of whom six shall be editors of newspapers and the remaining seven shall be working journalists other than editors, so, however, that the number of such editors and working journalists other than editors in relation to newspapers published in Indian languages shall be not less than three and four respectively;

Clause (b) six shall be nominated in accordance with such procedure as may be prescribed from among persons who own or carry on the business of management of newspapers, so, however, that there shall be two representatives from each of the categories of big newspapers, medium newspapers and small newspapers;

Clause (c) One shall be nominated in accordance with such procedure as may be prescribed from among persons who manage news agencies;

Clause (d) three shall be persons having special knowledge or practical experience in respect of education and science, law and literature and culture of whom respectively one shall be nominated by the University Grants Commission, one by the Bar Council of India and one by the Sahitya Academy;

Clause (e) five shall be members of Parliament of whom three shall be nominated by the Speaker from among the members of the House of the People (Lok Sabha) and two shall be nominated by the Chairman of the Council of States (Rajya Sabha) from among its members;

Provided that no working journalist who owns, or carries on the business of management of, any newspaper shall be eligible for nomination under clause (a):

Provided further that the nomination under clause (a) and clause (b) shall be so made that the among the persons nominated there is not more than one person interested in any newspaper or group of newspapers under the same control of management.

**Explanation: "For the purpose of clause (b), a 'newspaper' shall be deemed to be categorised as big medium or small newspaper on the basis of its circulation per issue, as the Central Government, may, by notification in the official gazette, notify from time to time.*

*(*Explanation amended vide Gazette Extraordinary dated June 6, 1994)*

Sub Section (4) Before making any nomination under clause (a), clause (b) or clause (c) of sub-section (3), the Central Government in the case of the first Council and the retiring Chairman of the previous Council in the case of any subsequent Council shall, in the prescribed manner, invite panels of names comprising twice the number of members to be nominated from such associations of persons of the categories referred to in the said clause(a) clause (b) or clause (c) as may be notified in this behalf by the Central Government in the case of the first Council and by the Council itself in the case of subsequent Councils;

Provided that where there is no association of persons of the category referred to in said clause (c), the panels of names shall be invited from such news agencies as may be notified as aforesaid.

Sub Section (5) The Central Government shall notify the names of persons nominated as members under subsection (3) in the Official Gazette and every such nomination shall take effect from the date on which it is notified.

Section 6 Term of office and retirement of members

Sub Section (1) Save as otherwise provided in this section, the Chairman and other members shall hold office for a period of three years:

Provided that the Chairman shall continue to hold such office until the Council is reconstituted in accordance with the provision of section 5 for a period of six months whichever is earlier.

Sub Section (2) Where a person nominated as a member under clause (a), clause (b) or clause (c) of subsection (3) of section 5 is censured under the provision of sub-section (1) of Section 14, he shall cease to be a member of the Council.

Sub Section (3) The term of office of a member nominated under clause (e) of sub-section (3) of section 5 shall come to an end as soon as he ceases to be a member of the House from which he was nominated.

Sub Section (4) A member shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Council from three consecutive meetings of the Council.

Sub Section (5) The Chairman may resign his office by giving notice in writing to the Central Government, and any other member may resign his office by giving notice in writing to the Chairman, and upon such resignation being accepted by the Central Government, or as the case may be, the Chairman, the Chairman or the member shall be deemed to have vacated his office.

Sub Section (6) Any vacancy arising under sub-section (2), sub-section (3) sub-section (4) or sub-section (5) or otherwise shall be filled, as soon as may be, by nomination in the same manner in which the member vacating the office was nominated and the member so nominated shall hold office for the remaining period in which the member in whose place he is nominated would have held office.

Sub Section (7) A retiring member shall be eligible for renomination for not more than one term.
