



सूचना भवन, 8 सी.जी.ओ. कॉम्प्लेक्स, लोदी रोड, नई दिल्ली - 110 003
Soochna Bhawan, 8, CGO Complex, Lodhi Road, New Delhi-110 003
☎ 24366745-46-47-49 / 24366403-04-05-25 फैक्स Fax : विस्तार Extn. 319
ई-मेल E-Mail : pcibppcomplaint@gmail.com वेबसाइट Website : www.presscouncil.nic.in
☎ शिकायत विभाग Complaint Section विस्तार Extn.320

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Press Release

Press Council release its Report on 'Paid news'

The Press Council of India in its meeting held on July 30, 2010 under the chairmanship of Hon'ble Mr. Justice G.R. Ray has placed in the public domain its Report on the issue of 'Paid News'. Concerned over the serious dimensions acquired by the phenomenon of payment for news in the media in the General Elections 2009, the Council not only took cognizance of the matter *suo motu* but also considered representations from various eminent persons. The analysis of its Sub-Committee was studied by the Drafting Committee to prepare the final Report of the Council that was adopted on 30th July, 2010.

The Report defines **Paid News** as "Any news or analysis appearing in any media (Print & Electronic) for a price in cash or kind as consideration".

The Report records that "Sections of the media in India have willy-nilly become participants and players in such practices that contribute to the growing use of money power in politics which undermines democratic processes and norms – while hypocritically pretending to occupy a high moral ground. This has not merely undermined democracy in India but also tarnished the country's reputation."

MAJOR OBSERVATIONS

1. The election time paid news phenomenon has three dimensions. One, the reader or the viewer does not get a correct picture of the personality or performance of the candidate in whose favour or against he decides to cast his vote. This destroys the very essence of the democracy. Two, contesting candidates perhaps do not show it in their election expense account thereby violating the Conduct of Election Rules, 1961, framed by the Election Commission of India under the Representation of the People Act, 1951. Third, those newspapers and television channels which received money in cash but did not disclose it in their official statements of accounts, have violated the Companies Act, 1956, as well as the Income Tax Act, 1961, besides other laws.
2. It was felt that there should be a clear distinction drawn between the managements and editorial staff in media companies and that the independence of the editor should be maintained and safeguarded.
3. The Election Commission of India should set up a special cell to receive complaints about 'paid news' in the run-up to the conduct of elections and initiate a process through which expeditious action could be taken on the basis of such complaints.
4. There should be a debate among all concerned stakeholders on whether a directive of the Supreme Court of India that enjoins television channels to stop broadcasting campaign-related information on candidates and political parties 48 hours before

elections take place should be extended to the print medium since such a restriction does not apply to this section of the media at present.

5. The Council suggests that efforts should be made to educate the voters to differentiate between the doctored reporting and the balanced and just reporting.
6. The Union Information & Broadcasting Ministry should conduct awareness-generating campaigns involving all stakeholders to deliberate on the issue and arrive at workable solutions to curb the 'paid news' phenomenon in particular.
7. A small committee of Members of Parliament from both Houses should hold a hearing for suggesting changes in Representation of the People Act, 1951.

The Council feels that all these initiatives, if sincerely implemented, may not entirely stop such malpractices in the Indian media but could reduce their incidence to a considerable extent.

RECOMMENDATIONS

- i) Representation of the People Act, 1951, be amended to make incidence of paid news a punishable electoral malpractice.
- ii) The Press Council of India must be fully empowered to adjudicate the complaints of 'paid news' and give final judgment in the matter.
- iii) Press Council Act be amended to make its recommendations binding and electronic media be brought under its purview, and
- iv) Press Council of India should be reconstituted to include representatives from electronic and other media

The detailed report of the Council is attached and can also be accessed at Council's website: www.presscouncil.nic.in