

Adjudications Rendered by the Council on 27.05.2021

Section 13 – Complaints by the Press

Cases heard by Inquiry Committee-II in its meeting held on 17th, 18th& 19th February, 2021 at New Delhi.

<u>S.No.</u>	<u>File/Case No.</u>	<u>Subject</u>
1	13/156/18-19	Complaint of Shri Yogesh Porwal, Editor, Publisher, Dashpur Disha against Shri Pawan Jain, Deputy Commissioner, Revenue & Public Information officer, Ujjain and others.
2	13/112/19-20	Complaint of Shri Avijit Anand, Journalist/Editor, Pragati Yatra, Lucknow, U.P. against Shri Shubhchandra Jha, Director Personnel Management and Administration, Madhyanchal Vidhyut Vitran Nigam, Lucknow.
3	13/150/19-20	Complaint of Shri Jaisingh Rawat, Shramjivi Patrakar, Dehradun against Information & Public Relations Department, Uttarakhand
4-5	13/156/19-20 13/161/19-20	Complaint of Shri Vatika Ashok Kumar, Vice President, TWJF, Mahabubnagar, Telangana against I & PRD, Telangana. Complaint of All India Working Journalist Association (AWJA), New Delhi against I & PRD, Govt. of Telangana
6	13/46/18-19	Suo-motu cognizance regarding alleged threat to journalist by BJP MLA
7	13/127/18-19	Untimely death of Journalists in Telangana – communications received from Shri K. Amarnath regarding
8	13/110/19-20	Complaint of Shri Lavlesh Pandey, Editor in Chief, Dainik Charcha Aajki, Karvi against Police Authorities
9	80/2020B	Communication received from Shri Yohannan Mathew from ANB News regarding non-issuance of press passes during curfew.
10	78/2020B	Complaint of Shri Manish Kumar Rathor, Editor, Prime Sandesh Magazine, M.P. against Tehsildar, Godhadongri, Baitul, M.P.
11	17/27/18-19	Communication received from Shri Om Prakash Khemkarni, Member, PCI regarding discriminatory Policy of DAVP

Cases heard by Inquiry Committee-I in its meeting held on 23rd, 24th& 25th February, 2021 at New Delhi.

<u>S.No.</u>	<u>File/Case No.</u>	<u>Subject</u>
12.	15/2020B	Complaint of Shri Dinesh Chandra Srivastava against Shri Ratnesh Kumar, Basic Utthan Evam Gramin Seva Sansthan, Barabanki, U.P.
13	13/28/19-20	Complaint of Shri Himanshu Singh, Correspondent, Dainik Janmorcha, Sitapur against Police Authorities.

14	SM/Jan/1/2021B	Notice for Comments concerning Government of Andhra Pradesh Order G.O.Ms No. 142 GA (I&PR) Department, dated 20.11.2019 and G.O.Ms No. 98 GA (I&PR) Department dated 15.09.2020 amendment order issued on 08.12.2020.
15	22/2020B	Complaint of Shri Suresh Chandra, Editor, City Glance, Hindi Weekly, Badaun, U.P. against Health Department
16	159/2020B	Complaint of Shri SumitRathi, Journalist, DainikJagran, Shamli, U.P against Police
17	82/2020B	Complaint of Shri Shaikh Nazar Mohammed, Journalist, DainikJanbaj Magazine against police authorities and KiranaVyaparSangh, Lakheri, Bundi, Rajasthan
18	171/2020B	Complaint of Shri SaurabhGangwar, Chairman and its members, KumayumYuva Press Club, Udham Singh Nagar, Uttarakhand against District Information Officer, Udham Singh Nagar, Uttarakhand
19-20	184-185/SM/2020B	Suo-motu cognizance taken with regard to alleged targeting of journalist for reporting during COVID 19 lockdown in Punjab.
21	13/90/19-20	Complaint of Shri Akhil Bansal, General Secretary, A.Bha. Jain Patra, Editor against the Ministry of Information and Public Relations Department, Government of Rajasthan, Jaipur.
22	291/2020B	Complaint of Shri HarishankarUpadhyay, Editor, Pillars of Democracy, Maharashtra against RNI
23	13/148/19-20	Complaint of Shri Manoj Tibrewal, Senior Journalist, Delhi against District Magistrate, Maharajanj and others.
24	13/121/19-20	Complaint of Shri Sohan Singh, Pioneer, Basti, U.P against Shri Harish Divedi, M.P.
25.	152/2020B	Complaint of Editor of TumulToofani, Weekly, Moradabad U.P. against Postal Department.
26.	153/2020B	Complaint of Editor of TumulToofani, Weekly, Moradabad U.P. against Public Relations Department, Northern Railways, Delhi
27.	13/108/18-19	Complaint of Shri Kulwant Singh, Managing Editor, Tekri Times Weekly (M.P.) against (i) Smt. Jyoti Shah Narwariya, Food Supply Controller (ii) Shri Lakhvinder Singh Gill, Food Supply Inspector and (iii) Shri Pratap Singh Thakur, Food Supply Inspector, Office of the Collector, Bhopal
28.	13/190/19-20	Notice for comments in respect of the news item of the Telegraph "Journalists locked up in Mangalore". (Suo-motu)
29.	180/SM/2020B	Suo-Motu cognizance on FIR lodged against unknown media institution on publication of news about Govt. Girl Shelter Home, Kanpur, U.P.
30.	13/134/19-20	Complaint of Shri Kishore Kumar Dagdi, Publisher/Editor, Karmagya Newspaper, Ujjain, M.P. against DAVP, PIB.

Press Council of India

S. No. 1

F.No.13/156/18-19-PCI

Shri Yogesh Porwal,
Editor/Publisher,
Dashpur Disha,
Mandsaur

Shri K.D. Khan,
State Chief Information Commissioner,
Bhopal (M.P.).
Mandsaur (M.P.)

Shri Pawan Jain,
Deputy Commissioner Revenue &
Public Information Officer,
Ujjain (M.P.)

Shri Omprakash Srivastava,
District Collector, Mandsaur (M.P.)
Presently at Reeva District (M.P.)

Shri Sanjeev Pandey,
Law Officer Incharge,
Office of the State Information
Commission, Bhopal,

Ms. Sunita Parmar,
Assistant Grade-3,
Office of the District Collector,
Mandsaur (M.P.).

Adjudication dated 27.05.2021

An undated complaint has been filed by Shri Yogesh Porwal, Editor/Publisher, DashpurDisha, Mandsaur (M.P.) complaining against Shri K.D. Khan, State Chief Information Commissioner, Shri Pawan Jain, Deputy Commissioner Revenue & Public Information Officer, Shri Omprakash Srivastava, District Collector, Mandsaur, Shri Sanjeev Pandey, Law Officer Incharge of State Information Commission and Ms. SunitaParmar, Assistant, District Collectorate Office, Mandsaur regarding the proceedings of a fake complaint by a fake name levelling false allegation against him pending in the offices of the Collector, Mandsaur, Deputy Commissioner Revenue & Public Relations Officer, Ujjain and the State Information Commission, Bhopal.

The complainant has submitted that a false complaint has been filed by one Shri A.K. Verma, Advocate, while there is no one in the Ujjain Court with that name, from which it is evident that the complaint is false. Despite knowing this fact, he is being mentally harassed for the last two years. According to the complainant, due to this false complaint, many of his second RTI appeals have been stuck in the State Information Commission, Bhopal due to which he is not getting the information under Right to Information Act. And also for this reason, his appeals are not being disposed of by the State Information Commissioner. The complainant has further stated that many of his essential documents are being withheld in the Collector Office and the NOCs related to his magazine Dashpur Disha are not being released by the

Superintendent of Police and the Sub-Divisional Officer. The complainant has also stated that this false complaint has been filed with a view to tarnish his image in the eyes of the higher officers, journalists and public representatives.

Notices for Statement in Reply were issued to the Respondents on 11.03.2019.

Written Statement of the Deputy Commissioner (Revenue)

Shri Pawan Jain, Deputy Commissioner (Revenue) & Public Information Officer, Office of the Commissioner, Ujjain Division, Ujjain vide his written statement dated 23.3.2019 has submitted that he received a complaint from Shri A.K. Verma, Advocate, which was addressed to the Hon'ble Chief Justice of India, a copy of which was also endorsed to their office. The respondent has further submitted that he received two copies of the said complaint on 13.10.2017, wherein directions of "take report from Collector, Mandsaur" and "serious, investigate" passed by the then Divisional Commissioner, Ujjain on the copies of the complaint. According to the respondent, the complaint was primarily against Shri Onkar Singh, Editor, Sergeant newspaper, Mandsaur and at Para No.2 refers the complaint against Shri Yogesh Porwal (complainant). The respondent has further submitted that as per direction of the then Divisional Commissioner on the complaints itself, copy of the complaint was forwarded to the District Collector, Mandsaur on 24.10.2017 for filing the report, which is still awaited despite issuance of several reminders.

The respondent has further submitted that their office received an application dated 16.10.2018 from Shri Onkar Singh, Editor, Sergeant, Mandsaur for closing the fake complaint, which was also forwarded to the District Collector, Mandsaur on 29.10.2018 followed by reminder dated 20.12.2018 for filing the report which is also still awaited. The respondent has stated that as per office record, the complainant's application dated 29.10.2018 was not received in their office.

The respondent has stated that as per direction of the then Divisional Commissioner, Ujjain, a report on the complaint was sought from the Collector, Mandsaur. Denying the allegation of harassment, the respondent has requested the Council to dismiss the complaint.

Written Statement of the State Information Commission

Shri Sanjeev Pandey, Law Officer Incharge, Madhya Pradesh State Information Commission, Bhopal vide his written statement dated 4.4.2019 has submitted that the said complaint dated 1.10.2017 of Shri A.K. Verma, Advocate, Ujjain was placed before the State Information Commissioner, Shri Sukhraj Singh as per direction of the Chief Information Commissioner, Madhya Pradesh. As per direction dated 20.11.2017 of Shri Sukhraj Singh, a copy of the said complaint was forwarded to the District Collector, Mandsaur on 24.11.2017 for taking necessary action. The respondent has stated that since the matter was not related with the Right to Information Act, 2005, no action was required from the Commission. The respondent has further stated that if anyone has hurt from the above situation, then he apologized.

Reply of Ms. Sunita Parmar, Assistant

Ms. Sunita Parmar, Assistant Grade-3, Office of the Collector, Mandasaur vide written statement dated 29.3.2019 has stated that the said complaint of Shri A.K. Verma was received from the State Information Commissioner, Bhopal and the Commissioner, Ujjain Division, Ujjain vide letters dated 24.11.2017 and 07.08.2018 respectively and as per direction of the Officer In-charge, RTI Branch, the complaint was forwarded to the Sub-Divisional Officer (Revenue), Mandasaur vide letter dated 7.8.2018 for filing the report. The respondent has further stated that on receiving the reminder from the Commissioner, Ujjain Division, the Sub-Divisional (Revenue), Mandasaur was again reminded.

The respondent has stated she does not know the complainant personally. During the posting in RTI Branch, the applications related to the right to information are disposed of as per the directions and signature of the Officer In-charge, RTI Branch. The respondent has further stated she is not aware of the status of the complainant's applications because she has been transferred to another branch from RTI Branch vide District Collector, Mandasaur order dated 20.12.2018. She has requested the Council to dismiss the complaint.

Counter Comments of the Complainant

Giving reference to the written statement of Shri Sanjeev Pandey, Law Officer In-charge, Madhya Pradesh State Information Commission, Bhopal, the complainant vide his counter comments dated 10.5.2019 has stated that despite the State Information Commission not having authority over the fake complaint filed against him, a letter was written to the Collector, for investigation. However, till date no effort has been made to find out about the person who complained against them. The complainant has further stated that his statement was not taken by the State Information Commission in support of the complaint. The complainant has also stated that a letter was written to the State Information Commission by him on 29.10.2018 to dismiss the fake complaint filed against him and inform him accordingly, but no action was taken on it, which is evident that there is collusion with the fake complainant. According to the complainant, without investigating the fake complaints against the editors of the registered newspapers, letters are being issued to them using words like Criminal. The complainant has alleged that the respondent-Shri Sanjeev Pandey, Law Officer In-charge, Madhya Pradesh State Information Commission, Bhopal is misusing his post.

Giving reference to the written statement of Shri Pawan, Jain, Deputy Commissioner (Revenue), Ujjain, the complainant has submitted that evidence should have been obtained from the fake complainant before investigating the editor of the newspaper. The complainant has ensured that he sent letter dated 29.10.2018 to the Commissioner, Ujjain Division, Ujjain by registered post. The complainant has stated that the respondents were aware that there is no place called the Court Prangan in Ujjain, and where the court is situated is called the Kothi Palace. While levelling the allegation against the respondents of misleading the Hon'ble Council, the complainant has requested the Council to take action in the matter.

Reply of the Public Information Officer, Mandsaur

The Public Information Officer, Office of the Collector, Mandsaur vide his reply dated 15.5.2019 has informed that a report was sought by Shri Pawan Jain, Deputy Commissioner (Revenue), Ujjain Division, Ujjain on the complaint filed by Shri A.K. Verma, Advocate. The respondent further submitted that the Sub-Divisional Magistrate, Mandsaur vide his investigation report dated 16.4.2019 has informed that the concerned Station House Officers of Kotwali Mandsaur/Y.D. Nagar Mandsaur/Nai Abadi Mandsaur have informed that no complaint with regard to extortion and blackmailing in the garb of RTI Act was received against criminal of Haryana/Delhi, Shri Onkar Singh as alleged in the complaint filed by Shri A.K. Verma, Advocate. He has requested the Council to dismiss the complaint.

Counter Comments

The complainant vide his counter comments dated 7.6.2019 to the written statement of Ms. Sunita Parmar, Assistant Grade-3, Collectorate, Mandsaur, has stated that he first saw the complaint with Ms. Sunita Parmar. The complainant has pointed out that when Ms. Sunita Parmar was in the Right to Information Branch, how did she get a copy of the complaint, while the complaint should have been in the Complaint Branch of the Collectorate. The complainant has stated that he is not satisfied with Ms. Sunita Parmar's reply, because the fake complaint was not settled by them at the behest of anyone for two years.

Reply of Shri Omprakash Srivastava, Collector, Rewa

Shri Omprakash Srivastava, Collector, Rewa vide his reply dated 19.8.2019 has informed that he has been transferred from Mandsaur in December, 2018. According to him, after perusal of the documents attached with the Notice, it appears that one Shri A.K. Verma, Advocate filed complaint dated 1.10.2017 against one Shri Onkar Singh before the Hon'ble Supreme Court of India and High Court. The respondent has stated that he has no recollection of any such complaint ever received against Shri Yogesh Porwal (the complainant). The respondent has stated that since he has been transferred from Mandsaur, he is not aware of any case in this regard. He has further stated that information can be obtained from the present Collector, Mandsaur.

Communication from Complainant

The complainant vide his letter dated 31.8.2020 has stated that the respondents misleading his fellow journalists about him by distributing photocopies of fake complaints filed against him and Shri Onkar Singh. The complainant has stated that the respondents tell him what he has done by complaining to the Council. The complainant has further stated that the respondents tarnished his image in front of other journalists, social workers, public representatives and politicians. He has requested the Council to take necessary action in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.02.2021 at New Delhi.

The complainant appears in person and the respondent is represented by Shri Sunil Dawar. The complainant states that for the present all his grievances have been remedied.

The Inquiry committee notes the aforesaid statement and drops the proceeding.

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 drop the proceeding.

Press Council of India

S. No. 2

F.No.13/112/19-20-PCI.

Complainant

Shri Avijit Anand,
Managing Editor/Journalist,
Pragati Yatra, Monthly Magazine,
Lucknow (U.P.)

Respondent

Shri Shubh Chandra Jha,
Director, Personnel Management &
Administration,
Madhyanchal Vidyut Vitran Nigam Ltd.,
Lucknow (U.P.)

The Station House Officer,
Hazratganj Police Station,
Lucknow (U.P.)

Adjudication dated 27.05.2021

This complaint dated 22.8.2019 has been filed by Shri Avijit Anand, Managing Editor/Journalist, Pragati Yatra, Monthly Magazine, Lucknow (U.P.) against Shri Shubh Chandra Jha, Director, Personnel Management & Administration, Madhyanchal Vidyut Vitran Nigam Ltd., Lucknow for allegedly threatening to kidnap and kill him during collection of news.

According to the complainant, he went to the office of Madhyanchal Vidyut Vitran Nigam situated at Lucknow on 21.8.2019 for covering of protest organized by Uttar Pradesh Bijli Mazdoor Sanghathan. The complainant has alleged that when he entered the room of the respondent-Shri Shubh Chandra Jha for getting the department's version, he got angry and threatened of dire consequences. The complainant has informed that he filed two Public Interest Litigations on behalf of Consumer Protection Committee before the Hon'ble High Court of Allahabad regarding embezzlement in appointments by the higher officers in Uttar Pradesh Power Corporation Limited, due to which the respondent abused and threatened him.

The complainant has submitted that he also filed an application dated 21.8.2019 in Hazratganj Police Station, Lucknow but no action has been taken. A complaint was also filed on the Chief Minister's portal. He has requested the Council to provide security to him and his family.

Notices for Statement in Reply were issued to Shri Shubh Chandra Jha, Director, Personnel Management & Administration, Madhyanchal Vidyut Vitran Nigam Ltd., Lucknow and the Station House Officer, Police Station, Hazratganj, Lucknow on 18.11.2019.

Written Statement

Shri Shubh Chandra Jha, Director, Personnel Management & Administration, Madhyanchal Vidyut Vitran Nigam Ltd., Lucknow vide his written statement dated 3.12.2019 has stated that the allegations levelled by the complainant in false, baseless and fabricated. The respondent has stated that the complainant visited his office on

21.8.2019 and he opened his room's door and they only greeted each other but the complainant did not enter his room. The respondent has stated that the Public Interest Litigations as referred to by the complainant in his complaint are not against him but these are against the appointment of IAS officer and was in the interest of the departmental engineers. According to the respondent, being Chief Engineer in the Department, he was deputed as the Director by the Government of U.P. The respondent has alleged that the complainant earlier came to him and demanded donation in the name of above said Public Interest Litigation and on refusal, the complainant started sending messages on WhatsApp levelling false allegation with a view to defame him. He has stated that his 35 years' service is impeccable.

Counter Comments

The complainant vide his counter comments dated 6.1.2020 while reiterating his complaint has stated that the PILs were filed long before the incident and the second PIL No.1349 dated 14.6.2019 was related to appointments of the Directors, therefore, the allegation of the respondent of demanding money does not arise. The complainant has further stated that the respondent's appointment was also against the rules, because as per Memorandum of Article of Association only level-1 Chief Engineer is eligible for the post of Director while the respondent was level-2 Chief Engineer. The complainant has also stated that the respondent's statement that he has no relation with the PIL is false and reiterated the allegation that the respondent abused and threatened him only due to filing of this PIL.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 18.2.2021 at New Delhi. Shri Avijeet Anand, complainant appeared in person. There was no appearance on behalf of the respondent.

It is the allegation of the complainant that because he has filed a Public Interest Litigation in the High Court, respondent No.1, Shri Shubh Chandra Jha has threatened him. In the opinion of the Inquiry Committee, the allegation has nothing to do with his duty as a journalist. 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

S.No. 3

F.No.13/150/19-20-PCI.

Complainant

Shri Jaisingh Rawat,
Working Journalist (Retd.),
Dehradun (Uttarakhand).

Respondent

The Director General,
Information & Public Relations
Department, Govt. of Uttarakhand,
Dehradun (Uttarakhand)

Adjudication dated 27.05.2021

This undated complaint, received in the Secretariat on 16.10.2019, has been filed by Shri Jaisingh Rawat, Working Journalist (Retd.), Dehradun against Information & Public Relations Department, Government of Uttarakhand for allegedly depriving him of the benefits of the State Government's Journalist Welfare Scheme.

According to the complainant, the State Government of Uttarakhand vide its Order No.630/xxii/2010-6(2)2011 dated 31.8.2013 has set up a "Journalist Welfare Fund" for providing financial assistance or ex-gratia relief on urgent basis to the journalists and pension to veteran journalists, but since 2017 no meeting of the Committee of the Journalist Welfare Scheme was called by the State Government. The complainant has further submitted that he is a working journalist and fulfills the eligibility criteria to be entitled to the benefit of the scheme, but he is being deprived of this scheme deliberately due to his impartial and fearless reporting despite submitting all required documents for the last two years. According to the complainant, he has submitted his pension application in 2017 to the Committee but it has been delayed intentionally by not holding meetings of the Committee else, his pension would have had started in 2017. He has requested the Council to take necessary action in the matter.

A Notice for Comments dated 9.12.2019 was issued to the Director General, Information & Public Relations Department, Government of Uttarakhand, Dehradun.

Comments received from Govt. of Uttarakhand

Dr. Anil Chandola, Additional Director, Information & Public Relations Department, Govt. of Uttarakhand, Dehradun vide communication dated 20.12.2019 has submitted that the Information and Public Relations Department, Uttarakhand vide orders dated 29.8.2016 and 16.9.2016 had implemented "Uttarakhand Veteran Working Journalists Pension Scheme" and there is a provision that the pension is to be given to the beneficiaries from the earned interest on principal amount of "Journalists Welfare Fund". The respondent has further submitted that more than Rs.1 crore financial assistance have been provided to 75 distressed journalists and dependents from this fund and Rs. 5,000/- per month is being disbursed to 7 journalists of the state. According to the respondent, as per State Government Order No.223/xxii/16-53/2002 dated 29.8.2016 and 278/xxii/1653 dated 16.9.2016, a Committee has been constituted including four members from journalist

organizations. The respondent has further stated that the amount of interest is limited, so priority is given to most needy journalists. According to the respondent, the complainant applied for journalist pension on 26.5.2017 and his application was placed before the Committee for consideration in its meeting held on 15.9.2017. Thereafter, the complainant was requested vide their office letter dated 27.10.2017 to submit income certificate, proof of residence and Income Tax Return certificate, but in the meanwhile, the tenure of the Committee was completed in May, 2018 and a new Committee was formed in February, 2019. But due to the implementation of the Code of Conduct during Lok Sabha General Election-2019, the meeting of the Committee could not be conducted. Thereafter, the Chief Minister/Information Minister and the Chairman of the Committee directed to hold the meeting on August 24, 2019, but the meeting was postponed due to unavoidable reasons. After this, a meeting of the Committee was held on November 14, 2019, in which 25 matters of pension to journalists, and 14 matters of financial assistance to journalist including the complainant's matter were placed before the Committee for consideration. The final decision for approval of pension will be taken by the Information Minister. The respondent has submitted that there are four journalists in the Committee, hence no doubt arise regarding departmental influence on sanctioning of grant under the scheme. The respondent has further submitted that the complainant is a recognized journalist, and as per the mandate, the recognized journalists in the State are eligible for free transport facility, medical facility etc. Accordingly, the complainant was paid Rs.74,900/- for medical treatment in 2019. The respondent has stated that the accreditation card of the complainant is renewed every year, so there is no prejudice towards him.

Counter Comments

The complainant vide counter comments dated 24.1.2020 while reiterating his complaint has stated that the respondent instead of taking the Press Council's notice seriously, have just fulfilled formality. According to the complainant, the financial aid to distressed journalists and pension to veteran working journalists are separate matters, however, both are funded by out of same fund. The complainant has further submitted that the respondent admitted the meeting of the Committee was held on November 14, 2019 but the respondent did not disclose the decision taken by the Committee. He has requested the Council to take necessary action in the matter.

Further reply dated 1.12.2020 and 08.01.2021 of the Director General, I&PRD

Dr. Meharban Singh Bisht, Director General, I&PRD, Dehradun vide further replies dated 1.12.2020 and 8.1.2021 while reiterating reply filed earlier by Dr. Anil Chandola, Additional Director, I&PRD submitted that a meeting of "उत्तराखंड श्रमजीवी पत्रकार पेंशन योजना" and "पत्रकार कल्याण कोष" under the chairmanship of the Chief Minister/Information Minister was held on 14.11.2019 wherein 25 matters of reporters' pension (including the complainant's matter) and 14 matters of Financial aid to the reporters were placed before the Committee. In the matters of "Financial aid to the Reporters" an amount of two Lakh per Reporter was sanctioned. However in 25 matters of reporters' pension, the Committee decided to make necessary amendment in the rules so that affected journalist get pension without facing any problem. He has submitted that following the direction of the Committee, amended Order related to Reporters' Pension has been forwarded to the government which is under consideration. While referring Order no. 278/XXII/16-

53(सूचना)/2002,dated 16.9.2016, he has submitted that the pension to the journalist is granted after approval Chairman/Vice Chairman and members of the Committee.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 18.2.2021 at New Delhi. Shri Jaisingh Rawat along with Shri K. Amarnath , Former Member, PCI represented the complainant. Dr. Anil Chandola, Additional Director Information, Uttarakhand and Shri Rahul Verma, Additional Advocate General, State of Uttarakhand represented the respondent.

This complaint relates to non-grant of pension to the complainant. Mr. Rahul Verma, Additional Advocate General of the State of Uttarakhand appears on behalf of the respondent and states that case of the complainant for grant of pension shall be considered and disposed of within two months from today. He further states that necessary amendment in the rules, if any, shall be also finalised within the said period.

Mr. Verma states that the complainant has now submitted all the papers.

In view of the aforesaid undertaking, the Inquiry Committee is not inclined to give any direction for the present but makes it clear that in case the decision of the respondent goes adverse to the complainant, he shall have liberty to approach the Council again.

With the aforesaid recommendation, 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

S.No. 4-5

F.Nos.13/156/19-20-PCI.
&13/161/19-20PCI.

Complainant

Shri Vatika Ashok Kumar,
Vice-President,
Telangana Working Journalist's
Federation,
Mahabubnagar (Telangana)

Shri K. Koteswar Rao,
National President,
All India Working Journalists
Association,
New Delhi.

Respondent

The Commissioner,
Information & Public Relations
Department,
Government of Telangana,
Hyderabad

Shri Shri Ronald Rose,
District Collector and Chairman,
Accreditation Committee,
Office of the District Collector,
Mahabubnagar (Telangana)

Shri Pandu Ranaga Rao,
District Public Relations Officer &
Convenor, Accreditation Committee,
Mahabubnagar.

Adjudication dated 27.05.2021

This complaint dated 23.10.2019 and 7.11.2019 has been filed by Shri Vatika Ashok Kumar, Vice-President, Telangana Working Journalist's Federation, Mahabubnagar, Telangana against the Information & Public Relations Department, Government of Telangana for allegedly non-implementation of Government of Telangana GOMS No.239 dated 15.7.2016 properly and by Shri K. Koteswar Rao, National President, All India Working Journalists Association, New Delhi against Government of Telangana for misusing GOMS No.239.

The complainant has submitted that as per GOMS No.239 **Clause 5** Eligibility criteria for newspapers **Sub-Clause "g" – "The Big and Medium newspaper shall submit Audit Bureau of Circulation or Indian Readership Survey in support of the circulation claimed and Chartered Accountant Certificate shall not be accepted as proof of circulation. However, the Committee may consider the Chartered Accountant certificate as proof of circulation in case of new dailies for a maximum period of three years from the date of commencement"**.

The complainant has submitted that few newspapers such as Surya Daily, Andhra Prabha, Vartha, ManaTelangana etc., which are running from more than 20 years, are claiming themselves as big newspapers but they are submitting only Chartered Accountant Certificate and obtaining accreditation cards. The complainant has further submitted that according to the GOMS 239 they have to submit Audit Bureau of Circulation or Indian Readership Survey. The complainant has alleged that the respondent's office knowingly issued the accreditation cards to the journalists without verifying the GOMS No.239 which is against the natural justice and against the law of land. According to the complainant, the Telangana Government after careful observations has issued GOMS No.239 to issue Accreditation cards to

genuine journalists only, but the respondents without following the GOMS No.239 issuing accreditation cards to the journalists who are using the accreditation cards for the purpose of blackmailing general public and officials for their wrongful gain. The complainant has stated that the GOMS 239 is issued by Government but the District Collector, who are the Chairman of Accreditation Committee are not following the rules and regulation and blindly issuing accreditation cards to journalists because of which genuine journalists are suffering. The Bureaus/Staff Reporters are running newspapers at their own cost only for the purpose of accreditation cards. According to the complainant, the above said newspapers and other newspapers are by misrepresentation of fact and bluffing with local journalists taking huge amount from local journalists and issuing letter to respondent's office to issue accreditation cards. Though the above said and other few newspapers have no office and printing facilities in local areas still they are running local edition. The complainant has further submitted that according to the GOMS, the accreditation cards should be issued to individual journalist but the district bureaus are influencing the DPRO and instructing the DPRO not to issue accreditation cards individually as the journalists have to pay money to them. By this way, the above newspapers and other newspapers are making money from journalists. The complainant has also submitted that the DPRO, Mahabubnagar is issuing accreditation cards to non-journalists under the influence of the Bureau/Staff Reporters. The complainant has stated that the journalists are regularly giving representation to the respondents for proper implementation of GOMS No.239 but they are ignoring the same. According to the complainant, first time Telangana Government introduced online journalist cards process but in online according to Government GOMS. 239 Chartered Accountant Certificate shall not be accepted then why newspapers having CA certificate applying for accreditation cards. He has requested the Council to stop loss to the exchequer of public money and take strict action in the matter.

The complainant drew the attention of the respondents vide his letter dated 22.10.2019 but to no avail.

Notices for Comments dated 30.12.2019 were issued to the respondents-the Commissioner, I&PRD, Govt. of Telangana, Hyderabad; District Collector & Chairman of Accreditation Committee, Mahabubnagar; and DPRO/Convenor of Accreditation Committee, Mahabubnagar.

Comments

Shri S. Panduranga Rao, AD/DPRO, Information & Public Relations Department, Government of Telangana, Mahabubnagar vide his comments dated 29.2.2020 has stated that the Rule and Regulations issued by Government in GOMS No.239, GA (I&PRD) dated 15.07.2016 and the instructions issued by the authorities were strictly followed while issuing accreditation cards to journalists in Mahabubnagar. The respondent has further submitted that the circulation figures will be finalized at the Commissionerate and eligibility criteria is communicated to the District offices by the Commissionerate. Accordingly, the accreditation cards were sanctioned to Big and medium newspapers. According to the respondent, the Commissionerate of I&PRD, Govt. of Telangana has empanelled Surya, Andhra Prabha, Vaartha, Metro Evenings, Mana Telangana and Nav Telangana daily newspapers as big newspapers and cards were sanctioned to above newspapers as per eligibility and regularity of the newspapers. The respondent has stated that the

accreditation cards were issued to the journalists whose names were communicated by the Editors/Bureau Chiefs of the concerned newspapers and strictly as per the provisions of GOMS No.239. The respondent has further stated that the local offices at the district level and the availability of print, DTP, editorial office were ascertained before sanctioning accreditation cards to journalists of concerned newspapers. The respondent has also stated that the editors/bureau chiefs will intimate any changes whenever any journalists working in their organization quits the job or transferred or in case of death. Whenever they communicate the list, accreditation cards will be issued as per the eligibility and rules. The respondent has submitted that the accreditation cards were issued to the journalists working in the district Mahabubnagar following the rules envisaged in GOMS No.239 and no irregular cards were issued to any journalist against the Rules and on approval by DMAC. He has requested the Council to drop the false allegations made against the district authorities.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 18.2.2021 at New Delhi. Shri V. Ashok Kumar, Reporter, Shri I.Shekar, Bureau Incharge, Shri Md. Rafi, Reporter and Shri KhajaMoinuddin, Reporter represented the complainants. Shri S. Panduranga Rao, Deputy Director, I&PRD, Government of Telangana appeared on behalf of the Information Department.

The complainant no.1, Shri Vatika Ashok Kumar is the Vice-President of the Telangana Working Journalist's Federation whereas complainant no.2, Mr. K.Koteswar Rao is the National President of All India Working Journalists Association and their grievance is that the Govt. of Telangana is not adhering to its own GOMS No.239 dated 15th of July, 2016. Their grievance is that by the said G.O. eligibility criteria for newspapers has been provided under clause 5 and sub- Clause 'g' of the said clause *inter alia* provides for the manner to proof the circulation. Said Clause reads as follows: 5. ***Eligibility criteria for newspapers "The Big and Medium Newspapers shall submit Audit Bureau of Circulation or Indian Readership Survey Certificate in support of the circulation claimed and the Chartered Accountant Certificate shall not be accepted as proof of circulation.However, the Committee may consider the Chartered Accountant Certificate as proof of circulation in case of new dailies for a maximum period of three years from the date of commencement."***

It is specific assertion of the complainant that although many newspapers which are being published for more than three years, their circulation figure is accepted on the basis of the certificate of the Chartered Accountant.It has been pointed out that according to the G.O. itself, the proof of circulation figure would be the report of the Audit Bureau of Circulation or Indian Readership Survey Certificate only. It has further been pointed out that the said G.O. makes it abundantly clear that Chartered Accountant Certificate shall not be accepted as proof of circulation. Despite that on the basis of Chartered Accountant certificate, circulation figures of various newspapers are being accepted which is inteeth of the said Clause of the rules.Mr. PanduRanga Rao, Deputy Director, Information and Public Relations Department of the Govt. of Telangana admits that circulation figure is being accepted on the basis of the C.A. certificate of the big and medium newspapers which are being

published even before three years and according to him, this decision was taken in the meeting of the various associations of the journalist. Mr. Vatika Ashok Kumar states that so far as his association is concerned, they had not agreed to that. Be that as it may, in the opinion of the Inquiry Committee so long the Telangana Media Accreditation Rule, 2016 is not amended the Govt. of Telangana cannot be allowed to deviate from its own rules. The Inquiry Committee would like to observe that rules are made for obedience and not for its disobedience. Admittedly, the Govt. of Telangana has deviated from the rules. The Inquiry Committee disapproves that and directs the Govt. of Telangana to adhere to the rules. With the aforesaid direction, the Inquiry Committee recommends for disposal 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 with directions.

Press Council of India

S.No. 6

F.No.13/46/18-19-PCI.

Suo-motu cognizance with regard to alleged threat to journalists by Shri Chaudhary Lal Singh, MLA, BJP.

Adjudication dated 27.05.2021

The Press Council of India when come across through various news reports that BJP leader had threatened Kashmiri journalists, took suo-motu cognizance. The BJP leader, Shri Chaudhary Lal Singh reportedly said that “Kashmir media has created a wrong narrative regarding the Kathua rape and murder case. They must draw a line so that brotherhood in the State remains intact and we also join the journey of development. It is better to control yourself before the situation gets worse”.

While taking suo-motu cognizance of the matter, Notice for Statement in Reply was issued to Shri Chaudhary Lal Singh, MLA on 27.6.2018.

Reply

The respondent-Chaudhary Lal Singh vide his undated reply stated that he in his press statement dated 22.6.2018 has neither attacked the freedom of press nor threatened the independence of the press or any journalist in particular. He further submitted that the press statement dated 22.6.2018 has been gravely misinterpreted and deeply misconstrued by a section of media to make out an altogether different meaning of the same and so has been unfortunately reported in various newspapers in a vehemently different colour. While producing pen-drive (video recording) of press conference dated 22.6.2018, the respondent stated that the press conference was called by him to welcome the imposition of Governor Rule in the State of Jammu & Kashmir and condemned the attempts made by the People’s Democratic Party to create a communal divide amongst the people of Jammu region and its failure in controlling the terrorist activities in Jammu & Kashmir. According to the respondent, he in his statement urged the journalists in Kashmir to act in a responsible manner so as to narrow down the communal divide amongst people in Kashmir region and not to support anti-national, anti-social and such political motivated groups which tend to exploit such communal divide to mislead the youth and promote terrorist activities. He is of the strong view that media has an important role to play in bringing back the normalcy and communal harmony in the Kashmir region and its such role in indispensable. The respondent has further stated that he was only calling for unity among the journalist of Jammu & Kashmir to work for a common goal of brotherhood and harmony which can be achieved by responsible reporting from the journalist of Kashmir region considering the ground realities and working for a peaceful and united India. The respondent stated that if the comment made by him in any ways hampers the dignity of any journalist in particular or any association or groups of journalist, then he tenders his unconditional apology for the same.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.2.2021 at New Delhi. Shri Chaudhary Lal Singh appeared in person along with his counsel, Shri Amandeep Singh. Shri Rajeshwar Basotra, Sr. Prosecuting Officer, IGP office, Jammu appeared on behalf of the Police Department, Jammu & Kashmir.

The Council took suo-motu cognizance when it came to its notice that Shri Chaudhary Lal Singh, MLA had threatened the journalists and accordingly, called for reply from him. He has filed the reply. In the reply, he has stated that **“if the comment made by the respondent in any way hampers the dignity of any journalist in particular or any association or group of journalists, then the respondent tenders his unconditional apology for the same”**. During the course of the meeting, the respondent, Shri Chaudhary Lal Singh has appeared and reiterated the same.

In that view of the matter, the Inquiry Committee is not inclined to proceed in the matter any further and drops the proceeding.

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 Inquiry Committee and decides to drop the proceeding.

Press Council of India

S.No. 7

F.No.13/127/18-19-PCI.

Suo-motu cognizance with regard to untimely death of journalists in Telangana State.

Adjudication dated 27.05.2021

A former Member, Press Council of India vide communication dated 24.9.2018 brought to the notice of the Council towards untimely death of journalists in Telangana. It has been informed that a survey conducted by the Telangana State Union of Working Journalists (TUWJ), 218 journalists died during last four years, between 2014 June to 2018 August. According to the survey 75 died of heart attack, 10 died of brain haemorrhage, 20 died of liver and kidney related diseases, 7 died of cancer, 21 died in road accidents, five committed suicide and the rest died of other diseases. According to the report of TUWJ, the reason behind the untimely death of so many journalists in a short span of four year is work pressure and financial worries due to irregular payment of remuneration. They do not have weekly offs or other holidays.

Comments of the Government of Telangana were invited on 22.11.2018.

Reply

The Commissioner, Information & Public Relations Department, Government of Telangana, Hyderabad vide reply dated 20.12.2018 furnished a Note on Journalists Welfare in Telangana State, which is reproduced below:

(A) Telangana Journalists Welfare Fund:

The Government has announced Corpus Fund towards journalists welfare fund and an amount of Rs.34.5 crores was released to the Media Academy of Telangana State (MATS) during the financial year 2014-15, 2016-17 @Rs10.00 crores per year and Rs.4.5 crores in the financial year 2017-18. This amount has been deposited in a nationalized bank and the interest amount accrued there on it is being used for journalist welfare. A Committee headed by the Chairman, MATS, Hyderabad supervises the sanctions to the journalists.

Further, an amount of Rs.20.00 crores has been allocated in the budget of 2018-19 towards journalists welfare fund, of which bills for Rs.15.00 crores has been already submitted to the DTO, Hyd. (U) and the DTO passed bills already but the finance department so far not cleared the amount.

Under the journalists welfare fund financial assistance upto a maximum of Rs.1,00,000/- each in case of deceased journalist and Rs.50,000/- in each case of permanent incapacitation due to ill health/major accident of working journalist and pension @Rs.3,000/- per month for a period of five years to the legal heirs of deceased journalists is being sanctioned from out of the interest accrued on the journalists welfare corpus fund. So far 2.56 crores was distributed to 203 cases which includes 151 death cases, 52 cases of permanent incapacitation besides pensions and tuition fees to the next of kith and kin of deceased journalists.

Further, the Telangana Journalists Welfare fund Scheme also facilitates reimbursement of fees upto Rs.1.00 lakh to the working journalists who intends to pursue higher studies in journalism from recognized national institutes in India and upto Rs.5.00 lakh for higher education for full time journalism courses of recognized institutions abroad.

(B) Health Cards

The State Government has introduced health cards to all the working journalists in the State on par with State Government employees. This scheme provides cashless medical treatment in super specialty hospitals in the State to the Journalists. This scheme is first of its kind as against the earlier practice of collecting portion of the medi-claim policy amount from the journalists.

Consequently the Government has issued the guidelines for implementation of “Working Journalists Health Scheme” vide GO Ms No.64, dated 22.7.2015, HEALTH, MEDICAL & FAMILY WELFARE (A2) DEPARTMENT for comprehensive health coverage to the working and retired journalist in Telangana.

The following family members are entitled to avail the Working Journalist Health Scheme – dependent parents, one legally wedded wife in case of a male journalist, husband in case of a female journalists, wholly dependent legitimate children and adopted children. The dependency in case of parents means, those who are dependent on the Journalists for their livelihood, in case of unemployed daughters, those who are unmarried or widowed or divorced or deserted, in case of unemployed sons, those unemployed who are below the age of 25 years and for disabled children with a disability which renders them unfit for employment.

The State Government after announcing the issue of the health cards to all working journalists in the State on par with Government employees, received applications throughout the state from accredited journalists. Consequent to which a total number of 12,257 journalists were issued Health Cards under the Scheme besides 37,563 cards to the family members of the journalists. AS such, a total number of 53,956 Journalists health cards have been issued till date and as and when the remaining accredited journalists apply they will be issued the health cards.

The scheme provides inpatient treatment for the medical and surgical procedures, similar to those being provided to the Government employees, in all the empanelled hospitals.

(C) Social Security Scheme

The Government of Telangana has introduced and given guidelines for implementation of Social Security Scheme for working journalists in Telangana State with a coverage of Rs.5.00 Lakhs Accidental Insurance. The entire cost of premium towards Accidental Insurance for beneficiaries covered under the scheme shall be paid by the State Government. Accredited journalists of State, District and Mandal Levels have been covered under the scheme. A total number of 18, 095 journalists are covered under this scheme.

(D) Media Accreditations

Media Accreditation means recognition given to media representatives by the government for providing access to all sources of official information in the movement. The Telangana Government after its formation has introduced a comprehensive media accreditation policy for the media representatives of the State and issued orders for issue of accreditation cards to journalists.

To facilitate journalists to have access to Government Information, Accreditation cards were issued by the Government at State, District, Constituency and Mandal level. As of now for the year 2017 & a total of 16,798 cards have been issued at State Level and District Level with validity upto 31.12.2018. New Accreditation cards shall be issued after the expiry of the existing accreditation cards.

The Commissioner of Labour shall be addressed for implementation of Wages to the journalists as per Majithia Wage Board.

Besides the above, Free District and State Bus Pass facility, Concessional Railways fare and accommodation at Telangana Bhavan, New Delhi are being provided to the Accredited working journalists.

Further Reply from Commissioner, I&PRD Govt. of Telangana

Shri Arvind Kumar, Commissioner vide letter dated 23.5.2019, while reiterating the welfare schemes floated by the Govt., has submitted the expenditure from Journalist Welfare Fund Account incurred from February, 2017 to May, 2019. Details of the same may be read as under:

Particulars	No. of Beneficiaries	Amount Rs.	Total
Death Cases	208	1,00,000/-each	2,08,00,000
Accident/ ILL Health Cases	78	50, 000/-each	39,00,000
Pensions	208	Rs. 3000/- per month(paid upto 25 months)	97,86,000
Tuition Fee	144	Rs. 1000/- per month	23,75,000
Total Rs.			3,69,61,000

The Aarogyasri Health Care Trust has incurred an amount of Rs. 18,94,60,088 from the year 2015 till now for treatment and surgeries of about 4,786 journalists in the Telangana State.

Further Reply from Commissioner, I&PRD Govt. of Telangana

The Commissioner, I&PRD, Hyderabad vide further reply dated 7.8.2019 has submitted that as per G.O. Ms. No. 646 dated 29.8.2007 Rule 3 (4) both the newspapers i.e. Praja Paksham & Velugu have not completed 18 months of

publication since their inception, hence advertisements are not issued to these newspapers.

As regard to issuing accreditation, he has submitted that a daily newspaper is entitled for accreditation to its editor or the correspondent recommended by the editor from the date of its commencement initially. The additional accreditation shall be considered only after empanelment with the Commissioner or after completion of six months period from its date of commencement. He submitted that as per clause the newspapers are entitled for one accreditation card to their editor or the correspondent recommended by the editor initially till their empanelment.

The constitution of Accreditation Committee is comprise of twelve journalists including Chairman, Media Academy of Telangana State and the District Media Accreditation Committee comprises of eight journalists from four recognized journalist Unions and representatives and one each from Big Daily Newspapers, Small and Medium Daily Newspapers, Video journalists and News Photographers. There are only two government nominees in both the State and District Media Accreditation Committee. Hence the allegation made by the Telangana State Union of working journalists (TUWJ) that the Accreditation Committee is packed with the government nominees except three nominees from the journalist Union is not correct and baseless.

Reply from Director General of Police, Telangana State

The Director General of Police, Telangana State vide letter dated 17.2.2021 reiterated the replies of the Information & Public Relations Department, Govt. of Telangana.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.2.2021 at New Delhi. While Shri K. Amarnath appeared for journalists, Shri D.S. Jagan, Joint Director, Information & Public Relations Department, Govt. of Telangana appeared on behalf of the respondent.

The Council took suo-motu cognizance when it was brought to its notice about untimely death of journalists in Telangana State and accordingly, Report was called from the State Government. They have submitted the report in which they have given the details of the welfare scheme introduced in the State and has also placed before the Inquiry Committee the list of beneficiaries. During the course of hearing, it transpired that many of empanelled hospitals are not providing health care to such journalists who have journalists health card purportedly, on the ground that they have huge outstanding against the Government. The Inquiry Committee would like to impress upon the Government of Telangana to ensure that the journalists who have Health Cards are not denied health care on the ground aforesaid. The Inquiry Committee expects from the Government of Telangana to take such steps as deemed necessary to remedy the grievance of the journalists sooner the better.

With the aforesaid observation, 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 Inquiry Committee and decides to dispose of the matter.

Press Council of India

S.No. 8

F.No.13/110/19-20-PCI.

Complainant

Shri Lovlesh Pandey,
Chief Editor,
Dainik Charcha Aaj Ki,
Chitrakoot (U.P.).

Respondent

The Chief Secretary,
Government of U.P.,
Lucknow (U.P.).

The Secretary,
Home (Police) Department,
Government of U.P.,
Lucknow (U.P.).

The Director General of Police,
Uttar Pradesh Police,
Lucknow (U.P.).

The Superintendent of Police,
Chitrakoot,
(U.P.).

Shri Balwant Choudhary,
Addl. Superintendent of Police,
Chitrakoot (U.P.)

Shri Pankaj Singh,
Sub-Inspector,
Chowki Bharatkoop,
Chitrakoot (U.P.)

Shri Rahul Kumar,
Sub-Inspector,
Chowki Bharatkoop,
Chitrakoot (U.P.)

Shri Vipin Kumar Mishra,
Sub-Inspector,
Chowki Bharatkoop,
Chitrakoot (U.P.)

Adjudication dated 27.05.2021

This complaint dated 14.8.2019 has been filed by Shri Lovlesh Pandey, Chief Editor, Dainik Charcha Aaj Ki, Chitrakoot (U.P.) against the police authorities for allegedly harassing, threatening and implicating him in false cases.

According to the complainant, during the coverage of arrival of Chief Minister in a hospital on 23.10.2017, Shri Balwant Choudhary, Addl. Superintendent of Police, Chitrakoot dispersed the journalists from there by threatening them. Second time,

when he went to the Additional Superintendent of Police with a complaint letter, he was banished from there. The complainant further submitted that thereafter a case was lodged against him through one of his rivals, which is pending in the court. According to the complainant, on 17.3.2019 he was attacked by unknown assailants, and an FIR. No. 0216/2019 was lodged in Police Station Kotwali Karvi. He told the names of the assailants but the Additional Superintendent of Police did not take any action and submitted final report along with the FIR. The complainant further stated that an FIR No.068/ 2019 under Section 354B was registered in Police Station Manikpur by one Smt. Vandana Pandey dated 2.4.2019 in which his name was not mentioned but the Additional Superintendent of Police mentioned his name in the FIR deliberately. The complainant stated that before filing the above FIR, he telecasted the news against Mrs. Vandana Pandey. The complainant stated that on 2.4.2019, he wrote to the DIG intimating that the Additional Superintendent of Police and Shri Pankaj Singh, Sub-Inspector are indulging in illegal mining and liquor trade. Annoyed with this, the Additional Superintendent of Police threatened him with dire consequences. Thereafter, the Additional Superintendent of Police registered a case against him through his rivals on 5.7.2019 but the copy of the FIR was not provided to him. The complainant informed that the Additional Superintendent of Police and Sub-Inspector of Bharatkoop Chowki told him that they will send him to jail by implicating him false charges.

The complainant alleged that a false and fabricated case No.0481/2019 under Section 147/148/149/354/323/307 of IPC was filed through his opponents in Police Station Karvi and sent him to District Jail, Chitrakoot on 5.7.2019. The complainant further alleged that after sending him to jail, S/Shri Pankaj Singh, Sub-Inspector, Rahul Kumar, Sub-Inspector and Vipin Kumar, Sub-Inspector looted Rs.1.50 lakh from his car and also deleted data from his two mobiles. The complainant further submitted that the sections in which he was sent to jail had been removed and transformed into only NCR. The complainant also stated that due to telecasting of news against Shri Pankaj Singh, Sub-Inspector and the Additional Superintendent of Police, cases have been registered against him. While apprehending danger to his life and that of his family, the complainant has requested the Council to take necessary action in the matter.

Notices for Statement in Reply were issued to the respondents on 16.12.2019 followed by a Time Bound Reminder dated 21.1.2020.

Written Statement of Additional Superintendent of Police, Chitrakoot

Shri Balwant Kumar Choudhary, Addl. Superintendent of Police, Chitrakoot vide written statement dated 18.1.2020 while denying the allegations levelled in the complaint stated that during the visit of Chief Minister in the hospital, the crowd was stopped at outside the gate for their safety as well as convenience of patients. The District Magistrate had already informed the journalists that the photos and videos of the visit will be provided to all the journalists through Information Department and all the journalists agreed with it but the complainant came on the way of the Chief Minister. For the safety of the Chief Minister, he was removed from the road. No other journalist protested. The respondent further stated that the complainant had come to his residence with his companions for seeking possession of a land, which he politely refused. The respondent also stated that the FIR No.216/19 was lodged by the complainant, which was rejected by the Investigating Officer after being found to be false. According to the respondent, the FIR No.68/19 was lodged at

the Police Station Manikpur by Smt. Vandana Pandey. The complainant used to send obscene messages to her mobile. On finding sufficient evidence, a charge sheet was filed. The respondent further stated that he was aware about the letter dated 3.7.2019 written by the complainant to the DIG. The respondent also stated that the complainant often asked him to introduce him with mining mafia, so that he could get some financial benefit and therefore he stopped talking with the complainant. The same complaints were made verbally by the Inspector Incharge of Police Station Karvi and the Chowki In-charge, Bharatkoop. According to the respondent, one Ms. Kalpna Bharati filed an FIR against Shri Sanjay Rana, which is pending consideration before court of law. The respondent has stated that he has good relation with Shri Sanjay Rana. The respondent further stated that a case No.481/19 under Section 147/148/149/354/323/307 was filed in Police Station Karvi against the complainant and others, which is under investigation. The respondent stated that he has no relation with the complainant, who lodged the FIR. The respondent submitted that total eight cases are pending against the complainant in the district, which is evident that he has no hand in the previous cases filed against the complainant. The respondent has stated that the complainant is history-sheeter and he filed this complaint with a view to pressurize him.

Reply of the Superintendent of Police, Chitrakoot

He has informed that, total eight cases are pending against the complainant in the district and he is also a history-sheeter. He further stated that the complainant prima-facie filed this complaint with a view to pressurize and the allegation levelled by him is totally false and baseless.

Counter Comments

The complainant vide communication dated 6.10.2020 stated that he is continuously harassed by Shri Balwant Choudhary, Addl. Superintendent of Police, Chitrakoot and Shri Pankaj Singh, Sub-Inspector and several cases have been registered against him by the respondents under a conspiracy. He has requested the Council to inquire the matter from an independent agency.

Reply filed by Shri Pankaj Kumar Singh, SHO, Banda

Shri Pankaj Kumar Singh, SHO, Banda vide undated reply, received on 8.1.2021, submitted that the complainant is criminal in nature and carries a Historysheet No. 39 A in Karvi Police Station of Chitrakoot. The details of cases registered against the complainant are as follows:

<u>S. No.</u>	<u>Case no.</u>	<u>Police Station</u>	<u>Sections</u>
1.	997/2013	Kotawali Karvi	354d/353/504 IPC
2.	1044/2016	Kotawali Karvi	353/379/IPC
3.	208/2017	Kotawali Karvi	232/504/506 IPC & 3(1) 10 SC/ST Act
4.	448/2017	Kotawali Karvi	232/504 IPC & 66 IT Act
5.	68/2019	Manikpur Police Station	354d IPC
6.	481/2019	Kotawali Karvi	147/148/149/307/354/323 IPC

He submitted that he is newly appointed in the Bharatkoop Police Station and most of area is wild and bandit affected. He further submitted that in order to get

weapon license, the complainant in Chitrahan wild area of Bharatkoop Police Station highlighted the wrong incident and registered a case no. 216/19 dated 19.3.2019 under Sections 307,427 IPC. The said case was investigated by him after found the case to be false, a final report for dismissal was submitted in the Court. The respondent submitted that a case no. 481/19 under Sections 147/148/149/354/323/307 IPC has been registered against the complainant allegedly for incident happened with Smt. Chuniya in his village. The matter was investigated and based on the evidences, the complainant was arrested and produced before the Hon'ble Court. He submitted that it is his responsibility to investigate the registered cases and produce the accused before the Court. The respondent further submitted that he has not misbehaved with the complainant while the fact is that the complainant extorts money in grab of journalism.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.2.2021 at New Delhi. While the complainant appeared in person, Shri Balwant Kumar Choudhary, the then Addl. Superintendent of Police, Chitrakoot, Shri SubodhGautam, Deputy Superintendent of Police, Chitrakoot and Shri Pankaj Kumar Singh, Shri Vipin Kumar Mishra, Shri Rahul Kumar Sub-Inspectors appeared on behalf of the respondents.

The complainant claims to be the Chief Editor of a newspaper called Dainik Charcha Aaj Ki. It is his allegation that several criminal cases have been lodged against him at the instance of Shri Balwant Choudhary the then Additional Superintendent of Police, Chitrakoot. It is common ground that Mr. Choudhary was the Additional Superintendent of Police from June 2017 to June 2020 and on perusal of the record, the Inquiry Committee finds that few cases were lodged against the complainant even prior to that. Not only this, the complainant is unable to produce before any news item against the said Mr. Choudhary in his newspaper. In the face of it, the Inquiry Committee is unable to infer that he is being implicated in false cases at the instance of Mr. Balwant Choudhary for critical writing. The Inquiry Committee is of the opinion that allegation made by the complainant is unfounded on facts 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 Inquiry Committee and decides to dismiss the complaint.

Press Council of India

S. No. 9

F.No.80/2020-B.

Communication received from Shri Yohannan Mathew from ANB News, Punjab regarding non-issuance of curfew passes

Adjudication dated 27.05.2021

Shri Yohannan Mathew, Managing Director, ANB News, Fatehgarh Sahib, Punjab vide letter dated 24.3.2020 has brought to the notice of the Press Council that the Government has imposed curfew in the State and therefore, precautionarily they have reduced their staff strength by 50%. Referring to the Government of India Circular No. E-36011/8/2020BP&L dated 23rd March, 2020 addressed to all the Chief Secretaries for smooth running of media houses, they have requested District Administration for curfew passes for their 50% staff, but the District Administration refused to issue passes to them due to which the police force harassed and sent back their desk staff.

No Reply

Vide Council's letter dated 15.5.2019, a Report in the matter was sought from the Chief Secretary, Government of Punjab, Chandigarh but no response has been received despite issuance of Time Bound Reminder dated 15.10.2020.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.02.2021 at New Delhi. The complainant is represented by Ms. JyotiKalher, Head of Sales and Operations whereas nobody appears on behalf of respondent.

It is an admitted position that the complainant is an electronic media and therefore the Inquiry Committee is not inclined to proceed in the matter any further and recommends for 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 decides to dispose of the complaint.

PRESS COUNCIL OF INDIA

S. No. 10

F.No.78/2020-B

Complainant

Shri Manish Kumar Rathore,
Editor,
Prime Sandesh Patrika,
Bhopal (M.P.).

Respondent

The Chief Secretary,
Govt. of Madhya Pradesh,
Bhopal (M.P.).

The Superintendent of Police,
District Baitul,
(M.P.).

Ms. Monika Vishwakarma,
Tehsildar,
Tehsil Ghodadongri,
District Baitul (M.P.).

The Station House Officer,
Police Station Sarani,
District Baitul (M.P.).

Adjudication dated 27.05.2021

This complaint dated 16.5.2020 was filed by Shri Manish Kumar Rathore, Editor, Prime Sandesh Patrika, Bhopal (M.P.) against Ms. Monika Vishwakarma, Tehsildar and Police Chowki Ghodadongri (under Police Station-Sarani), Baitul (M.P.) for allegedly issuing Notice under Section 91 of IPC on the false complaint filed by Ms. Monika Vishwakarma, Tehsildar, Tehsil Ghodadongri, Baitul (M.P.) due to publication of critical writing.

According to the complainant, he received complaints on social media about black-marketing and over-priced sale of grains and goods by the shopkeepers in the State and the administration also raided at many places. The Baitul MLA also complained to the Commissioner in this regard. On 2.5.2020, Ms. Monika Vishwakarma, Tehsildar and Food Inspectors jointly raided on M/s Kamala Traders and fined him Rs.5,000/-. In this regard, one Kalka News Portal telecast the news on 6.5.2020 under the caption “कमिश्नर से हुई मूल्य से अधिक दामों पर सामग्री बेचने की शिकायत, जवाबदारों ने काटा कम वजन का चालान” and reported that during the lockdown, some officials are taking advantage of the opportunity. In one such case, transaction of Rs.1 lakh is reported in Ghodadongri. According to the complainant, he also published a news on 12.5.2020 in this regard in Dainik Janakal Sandesh newspaper under the caption “अधिकारियों का दामन हुआ दागदार ना निगलते बन रहा ना उगलते- चंद दिनों पहले घोडा डोंगरी किराना व्यवसायी पर की गई कार्रवाई में लगे एक लाख रुपये रिश्वत लेने के आरोप!” containing the denial statement of Ms. Monika Vishwakarma. Annoyed with this, Ms. Monika Vishwakarma filed complaint dated 12.5.2020 to the Station House Officer, Police Station Sarani against him and Kalka News levelling false allegations

of publishing news regarding taking bribe of Rs.1 lakh with a view to blackmail the administrative officers. On the said complaint, a Notice dated 12.5.2020 under Section 91 IPC was issued by Chowki Ghodadongri, Police Station Sarani asking him to submit evidence and documents till 14.5.2020 on the basis of which the news item was published.

According to the complainant, he submitted his reply on 14.5.2020 stating that he is the Editor of Prime Sandesh and also correspondent of Jankaal Sandesh and the said news item was published on the basis of information. Further, while denying the allegation levelled by Ms. Monika Vishwakarma, the complainant has submitted that the complaint filed by her is totally false and malicious.

The complainant has alleged that the respondent filed false complaint to the police so that he could not expose the corruption. The complainant has submitted that he drew the attention of the higher authorities in this regard but to no avail.

Notices for Statement in Reply dated 18.11.2020 issued to the Chief Secretary, Govt. of Madhya Pradesh, the Superintendent of Police, Baitul, Ms. Monika Vishwakarma, Tehsildar, Tehsil Ghodadongri, Baitul and the Station House Officer, Police Station-Sarani, Baitul.

Written Statement

Ms. Monika Vishwakarma, Tehsildar, Tehsil Ghodadongri, Baitul vide written statement dated 27.11.2020 has submitted that the sudden rise in food prices during the lockdown caused resentment among the people due to which the Commissioner, Narmadapuram directed the Revenue, Food and Measurement Department to inspect the shops. Therefore, she along with Measurement Officer raided a shopkeeper and fined Rs.5,000/-by the Measurement Department. The respondent has further submitted that after inspection, the inspection team was accused of taking Rs.1 lakh on several online news channels. Thereafter, the questions were repeatedly raised by the correspondents from her and shopkeeper regarding fine and transactions, but she advised them to ask the questions from the Measurement Officer. Despite that Kalka News, Prime TV and Aaj Ka Khulasa telecasted the news regarding transaction of money without any evidence, while she was present at the shop in the capacity of the Incident Commander-cum-Magistrate to ensure social distancing. The respondent has stated that due to this type of news her image has been tremendously damaged, due to which, she complained to the police station for asking about the evidence of the news. She has further stated that this does not seem to be an attack on freedom of the press.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.02.2021 at New Delhi. No one appeared from either side.

Despite service of notice, the complainant has not chosen to appear. In the absence of the complainant, the Inquiry Committee is not inclined to proceed in the matter any further and recommends for closure of the case.

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.

Press Council of India

S. No.11

File No. 17/27/18-19-PCI

- 1. Stoppage of Advertisements by DAVP on the National Holidays to small and medium newspapers.**
- 2. Discriminatory advertisement Policy by DAVP.**

Adjudication dated 27.05.2021

Shri Om Prakash Khemkarni, Member, Press Council of India vide e-mail dated 27.1.2019 drew the attention of the Council towards the discriminatory policy of the DAVP towards the small and medium newspapers.

The matter was discussed by the Council in its meeting dated 29.05.2019 and it resolved to seek information from the DAVP about the percentage of advertisement given to the small, medium and big newspapers. Accordingly, the Council vide letter dated 10.07.2019 and subsequent reminder dated 02.08.2019 sought information from the DAVP.

The DAVP vide letter dated 19.8.2019 provided the information in which it has stated that in compliance with Clause-19, "DAVP will make efforts to release more advertisements to periodicals especially social messages and advertisements which are not date specific. Efforts will also be made to release more advertisements to newspapers with special emphasis on North East, J&K and other remote areas. While releasing display advertisements, DAVP will ensure that a balance is maintained between various categories of newspapers taking into account circulation, language, coverage area etc. For this purpose, the distribution of advertisements, in Rupee terms, will be stated as under:-

<u>Category</u>	<u>Ceiling (in Rupee terms)</u>
Small	-15%(minimum)
Medium	-35%(minimum)
Big	-50%(minimum)
<u>Language</u>	<u>-Ceiling(in Rupee terms)</u>
English	-30%(approx.)
Hindi	-35%(approx.)
Regional and other languages	-35%(approx.)

Further, it has informed that as per clause-19 the "above norms are indicative and would be adhered to in the overall media strategy of the ministries/Departments to ensure maximum coverage at optimum cost. In adherence to the provisions of Clause-2, i.e, "Government advertisements are not intended to be financial assistance to newspapers/journals...". read with clause-19, Bureau of Outreach and Communication, prepares a suitable media lists keeping in view the objective of the client Ministries/Departments, the contents, target audience for the advertisement and availability of funds and in consultation with the client Ministry/Departments.

Though the business allocation to small & medium categories of newspapers in terms of space i.e. sq. cms not only fulfils the indicative norms of clause-19 of the Policy, But exceeds the limit, due to lower advertisement rates of small & medium categories of newspapers, business allocation to these categories in money terms may be at variance. It is further stated that, allocation of advertisements on the basis of space (in sq. cms) is the globally accepted norm of print media industry. The information was forwarded to the Members of the Council on 27.08.2019 for comments but no response was received.

The Council, after deliberating the matter twice on 22.08.2019 and subsequently on 15.11.2019, has resolved to place the matter before the Inquiry Committee. Meanwhile vide letter dated 10/12/2019 the Secretariat has called for comments from DAVP on its submission dated 19th August 2019.

Reply filed by Addl. Director General, DAVP

Smt. Maushumi Chakravarty, Addl. Director General, BOC vide reply dated 3.2.2020 while referring Clause “2” and Clause “19” submitted that BOC prepares a suitable media lists keeping in view the objectives of the client Ministries/Departments, the contents, target audience for the advertisement and availability of funds and in consultation with the client Ministries/Departments. The media list, if any prepared/suggested by the client Ministry would be suitably modified by DAVP to conform to the Government’s Policy without compromising the objectives of the proposed advertisements. She further submitted that though the business allocation to small & medium categories of newspapers in terms of space i.e. sq. centimeters exceeds the indicative norms of Clause -19 of the Policy due to lower advertisements rates of small & medium categories of newspapers, business allocation to these categories in money terms is at variance. She submitted that the allocation of advertisements on the basis of space (in sq. cm.)is the globally accepted norm of print media industry.

Communication from Shri Om Parkash Khemkarni, Member, PCI

Shri Om Parkash Khemkarni, Member, PCI vide communication dated 18.1.2020 while reiterating about the discriminatory policy of the DAVP now BOC(Bureau of Outreach and Communication) submitted that it is promoting big newspapers & Monopoly business houses by giving them Lion’s share of advertisements & depriving the small and medium Press from their legitimate portion. He submitted that the DAVP itself has confirmed in its letter about the shortfall of Small & Medium newspapers upto 10%. The clause 2 of DAVP policy that “ Government advertisements are not intended to be a financial assistance to newspapers/journals and DAVP maintains list of newspapers/journals approved for release of advertisements by empanelling acceptable newspapers is defamatory & contemptuous and smack of autocratic behavior of DAVP.

Further reply from DAVP

Shri Pankaj Nigam, Media Executive, DAVP now BOC (Bureau of Outreach and Communication) vide communication dated 9.2.2021 submitted that the BOC releases advertisements to small, medium and big categories of newspaper following the specified ratio i.e. Small-15%, Medium-35%, Big-50% as mentioned at Clause 12.1 of the Print Media Advertisement Policy-2020 but Clause 3.4 clearly states that

“Government advertisements are not intended to be financial assistance to publications”. Further, Clause 12.3 states that “The above norms are indicative and should be adhered to in the overall media strategy of the Ministries/Departments to ensure maximum coverage at optimum cost. However, in specific cases where a client Ministry/Department wishes to make a deviation from these norms, full and detailed justification should be given while placing the order with BOC”. Moreover, Clause 16.2 states that “BOC, while issuing the Release Order, will indicate the emphasis in intended message, target readers and focus areas of any given campaign in consultation with client Ministry/Department”.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.2.2021 at New Delhi. Shri Pankaj Nigam, Media Executive appeared on behalf of the respondent- Bureau of Outreach and Communication.

It is common ground that at the relevant time, the BOC Policy provided for giving advertisement to the extent of 15%, 35% and 50% in Rupee terms to small, medium and big newspapers respectively. It is the allegation of the complainant that the BOC is not adhering to its Policy. Reply has been filed by the BOC in which it has been stated that business allocation to small and medium categories of newspapers in terms of space i.e. square centimeters fulfills the aforesaid norms provided in Clause-19 of the Policy but because of the lower advertisements rate, business allocation to these categories in money terms is less.

Mr. Pankaj Nigam who appears on behalf of the BOC admitted this fact during the course of hearing. The Inquiry Committee would like to observe that when the Government has framed the Policy on the basis of Rupee term it is expected to adhere to its own Policy. In the opinion of the Inquiry Committee, policy of the Government is meant to be obeyed and it is in exceptional circumstances one can deviate from the policy.

With the aforesaid observations, the Inquiry Committee disposes 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 Inquiry Committee and decides to dispose of the complaint.

Press Council of India

S. No. 12

Case No.15/2020-B.

Complainant

Shri Dinesh Chandra Srivastava,
Journalist,
Dainik Amar Bharati,
Barabanki (U.P.).

Respondent

Shri Ratnesh Kumar Gautam,
President,
Basic Utthan Evam Gramin Sewa
Sansthan,
Barabanki (U.P.).

Adjudication dated 27.05.2021

This complaint dated 21.12.2019 has been filed by Shri Dinesh Chandra Srivastava, Journalist, Dainik Amar Bharati, Barabanki (U.P.) against Shri Ratnesh Kumar Gautam, President, Basic Utthan Evam Gramin Sewa Sansthan, Barabanki for allegedly threatening and trying to implicate him in false case due to publication of critical writings.

According to the complainant, he has been continuously publishing news regarding corruption committed by the respondent in Child Labour Schools. The complainant has submitted that he along with journalist of Dainik Bhaskar made ground reporting in Special Training Centres, which are running under the National Child Labour Project and published news regarding irregularities prevailing in the centres on 28.11.2019, 30.11.2019 and 17.12.2019. Taking cognizance of the news, the District Magistrate, Barabanki directed the six SDMs of the district to investigate all 22 child labourcentres. Annoyed with this, the respondent threatened the complainant and issued a press note dated 19.12.2019 on letter-head of Basic Utthan Evam Gramin Sewa Sansthan to all the Newspaper/Bureau Correspondent and Editors levelling false allegation of demanding job, money and depicts as a fake journalist etc. The complainant has stated that he never demanded anything from the respondent and due to issuance of press note, his journalistic image has been damaged. The complainant has further submitted that the action of the respondent is attack on freedom of press. The complainant has apprehended that the respondent can implicate him in false case. The complainant has stated that the respondent pressurised his Bureau Chief and owner and other newspaper institutions not to publish news against him. While apprehending danger to his and his family life, he has requested the Council to take necessary action in the matter.

Notice for Statement Reply dated 17.2.2020 was issued to Shri RatneshKumraGautam, President, Basic Utthan Evam Gramin Sewa Sansthan, Barabanki.

Written Statement

Shri Ratnesh Kumar Gautam, President, Basic Utthan Evam Gramin Sewa Sansthan, Barabanki vide his written statement dated 4.3.2020 while denying the allegations has submitted that the complainant is not a journalist of Amar Bharati newspaper and also the Amar Bharati newspaper has no circulation in the district. The respondent has further submitted that the complainant made a pass for coverage of voting by misleading the Information Department. The respondent has further submitted that the complainant extorts money in the garb of journalism. After

publication of news dated 28.11.2019 regarding National Child Labour Project, the complainant demanded money from the Accountant of the department. When his demands could not be fulfilled, he along with journalist of DainikBhaskar visited Special Training Centre and threatened the Instructors and children cited that these centres will be closed down soon. When he spoke to them over phone, they demanded money threatening that if the amount is not paid, they will implicate him in false case. Thereafter, DainikBhaskar published false news on 30.11.2019. The respondent has alleged that the complainant published false and defamatory news items with a view to extort money. In this regard, he issued a press note requesting the correspondents to take correct information before publishing the news and the respondent did not pressurise them to not publish any kind of news. The respondent has submitted that he has been helping the children, elderly and widow women and the news of his organization's activities is being published in other newspapers. The respondent has stated that he respects the journalists and the profession of journalism. He has requested the Council to take necessary action against the complainant.

Counter Comments

The complainant vide his counter comments dated 2.9.2020 while reiterating his complaint has alleged that the allegations levelled by the respondent in his reply are false, fabricated and baseless. Denying the allegation of extortion, the complainant has stated that no case is filed against him in this regard. With regard to threatening the Accountant, the complainant has submitted that on the contrary the Accountant helps in coverage of news. The complainant has further submitted that the published news items were based on evidences. The complainant has stated that his image has been tarnished due to issuance of press note and a conspiracy is being done by the respondent for removing him from the newspaper.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.02.2021 at New Delhi. The complainant appears in person whereas respondent is represented by Mr. Ratnesh Kumar.

The Inquiry Committee has heard the complainant as also the respondent 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

S.No. 13

File No: 13/28/19-20-PCI

Complainant

Shri Himanshu Singh,
District Correspondent,
Dainik Janmorcha,
Sitapur (U.P.)

Respondents

The Director General of Police,
Uttar Pradesh Police,
Lucknow (U.P.)

Shri Shashank Pandey,
Sub-Inspector, Police
Station Rampur Kalan, Dhokalganj
Sitapur (U.P.)

Shri Jairam Pandey,
Head Constable, Police,
Station Ramkot,
Sitapur (U.P.)

Adjudication dated 27.05.2021

This complaint dated 9.5.2019 was filed by Shri Himanshu Singh, District Correspondent, Dainik Janmorcha, Sitapur (U.P.) against the police authorities for alleged manhandling and misbehavior with him during coverage of news.

According to the complainant, during the elections in Sitapur district, he came to know from sources that some policemen from Ramkot Police Station are pressurizing the public to vote in favour of a particular political party in the polling centres of Maholi Block. When the complainant reached Village Nansauha, he saw 10-12 policemen going inside the polling premises. Shri Shashank Pandey, Sub-Inspector and Shri Jairam Pandey, Head Constable entered Booth No. 262 and said something to the people present there. When they came out of the premises, he sought information from them. They said that their job is to look after law and order situation there. The complainant submitted that on being asked, he showed his identity card to them and thereafter the respondents while using foul language stated that they have seen many journalists like him. The complainant has stated that the vehicles used by the policemen belong to two Gram Pradhans and the election campaigning materials were stuck on it. The complainant when took the photographs of the vehicles, the respondents got annoyed and snatched his mobile and tried to break it. Meanwhile on interference by the villagers, he managed to escape from there. The complainant has stated that he suffered injuries as he was dragged and his clothes were also torn. The complainant has alleged that the action of the respondents amounts to suppression of freedom the press and also deprived the readers of election news.

No Reply:

Notices for Statement in Reply were issued to the respondents on 25.7.2019 but no response received. A reminder dated 18.11.2019 was also issued to the respondents in this regard. However, no response received.

The reminder dated 18.11.2019 issued to Shri Shashank Pandey, Sub Inspector, Rajkot, Sitapur has been received back in the Secretariat with postal remarks “लेने से

इन्कार". Thereafter, the Council requested the District Magistrate, Sitapur, Uttar Pradesh to serve on the letter to the respondent on 24.1.2020. Besides, a letter dated 28.1.2020 was also sent to Shri Shashank Pandey to file the reply in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. There was no appearance from either side.

On the last occasion also respondents had not appeared. Today, an application has been filed by Shri Shashank Pandey that as he was not given permission by the higher authority, he is unable to appear before the Inquiry Committee. This is a matter between him and the superior authority and the Inquiry Committee has nothing to do with that. Respondents have also not chosen to file reply, despite several opportunities.

It is the allegation of the complainant that during the Election in Sitapur District, he came to know through some sources that some Policemen from Ramkot Police Station are pressurising the public to vote in favour of a particular political party at the Maholi Block Polling Booth. According to the complainant, he reached the Polling Station and found that the respondent, Shri Shashank Pandey, Sub Inspector of Police and Shri Jairam Pandey, Head Constable had entered into Booth No. 262 and said something to the voters there. When they came out, according to the complainant, he sought information from them beseeching that their job is to look after law and order situation. It is the grievance of the complainant that on being asked he showed his Identity Card to the Policemen and this infuriated them and they used foul language stating that they have seen many journalists like the complainant. It is specific assertion of the complainant that the vehicles used by the Policemen, belong to the two Gram Pradhans and election materials were pasted on it. According to the complainant, when he took photographs of the vehicles, these Police personnel got annoyed and snatched his mobile and tried to break it but because of the interference by the villagers he managed to escape from there.

In the absence of any reply by the respondents, the Inquiry Committee is inclined to accept the assertion of the complainant. Accordingly, the Inquiry Committee directs the Director General of Police of the State of Uttar Pradesh to hold an Inquiry himself or through a competent authority and take such action as permissible in law. The Director General of Police is further directed to submit the Action Taken Report.

The Inquiry Committee upholds 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 Inquiry Committee and decides to drop the proceeding with the aforesaid directions.

Press Council of India

S.No. 14

Case No.SM/Jan/1/2021-B.

Suo-motu cognizance with regard to an Order dated 8.12.2020 issued by the Government of Andhra Pradesh regarding Constitution of State/District Media Accreditation Committee

Adjudication dated 27.05.2021

The Andhra Pradesh Union of Working Journalists, Vijaywada, Shri Balwinder Singh Jammu, Member, PCI and Secretary General of India Journalists Union and Shri K. Amarnath, former Member, Press Council of India vide joint representation dated 27.12.2020 drew the attention of the Council towards Government of Andhra Pradesh's Order dated 8.12.2020 regarding constitution of State/District Media Accreditation Committee without any journalist representative.

They submitted that the Government of Andhra Pradesh has reconstituted the State Media Accreditation Committee vide a GO dated 8.12.2020 with officials of various departments of the Government of Andhra Pradesh without representation to the working journalists. They further submitted that earlier in a note dated 30.11.2020, the Ex-officio Special Secretary to the Government and Commissioner of Information & Public Relations Department proposed that the State Media Accreditation Committee be constituted with officials stating that "in view of the difference of opinions expressed by the Journalists Associations". The note further stated that "it is more appropriate to constitute media accreditation committee/s with government officials to avoid apprehensive among the journalists associations in the matter to give accreditation to the journalist in a transparent manner".

According to them, it is highly improper and ridiculous to suggest that an Accreditation Committee consisting of officials would give accreditations to the journalists in a transparent manner and avoid apprehensions among the journalists than a committee with representation to the journalists. On the other hand, a committee consisting of officials from the departments of transport, housing, medical and health, the PROs of Road Transport Corporation and Railways is ill-equipped to decide who are genuine journalists as they lack domain knowledge of the working of the media and the practitioners of journalists. They have stated that accreditation facility is extended to journalists so that they can access information from the government departments and sources without hindrance from the restrictive bureaucratic practices. A committee of officials who have nothing to do with media and publicity managers of the government cannot do justice to the journalists and media organisations seeking accreditations. They have further submitted that the decision of the government is against the Model Accreditation Rules circulated by the Press Council of India and the Rules of the Central Accreditation Committee.

While taking suo-motu cognizance of the matter, Notices for Comments dated 11.1.2021 were issued to the Chief Secretary, Govt. of Andhra Pradesh and Ex-Officio Special Secretary, Information & Public Relations Department, Government of Andhra Pradesh.

Reply

The Commissioner, Information & Public Relations Department, Government of Andhra Pradesh, Vijayawada vide his comments dated 19.2.2021 submitted that they issue accreditation cards to the journalists once in every two years to enable them with access to the Government departments for eliciting information. The entire activity will be administered according to the guidelines stipulated in G.Os. issued by the Government from time to time. These guidelines are reviewed/amended/modified as and when required to suit to the need of prevailing circumstances. Accordingly, Government have issued A.P. Media Accreditation Rules, 2019 vide GO.Ms. No.142, GA (I&PR) Department dated 20.11.2019 in supersession of A.P. Media Accreditation Rules, 2005 issued in G.O.Ms. No.96, GA (I&PR) dated 8.3.2006. He has further submitted that several representation from various journalists were received expressing their dissent towards the composition of State Media Accreditation Committee and District Media Accreditation Committee. The Central Government had taken a policy decision for representation of Media Journalists organisation for two members only in Central Press Accreditation Committee and in lines of the policy formulated by the Central Government, the State Government is also considered in bringing down the members of journalists unions from 5 to 2 in State and District Media Accreditation Committees in tune with the policy of Central Government. Further, there is no statutory embargo or any other embargo in reducing the members of journalists unions from 5 to 2 and mere reducing the members of journalists unions does not alter or vary the benefits which were earlier conferred upon accredited journalists and will not affect the right of the existing journalist unions. According to him, it is purely in the realm of administrative discretion or executive discretion of the Government. Hence, certain amendment to GO.Ms. No.142 dated 20.11.2019 regarding composition of State and District Media Accreditation Committee was issued vide G.O.Ms. No.98 dated 15.9.2020. The respondent further submitted that three Writ Petitions and one Writ Petition (PIL) were filed by various journalists before Hon'ble High Court of Andhra Pradesh challenging the issued G.O.Ms.142 dated 20.11.2019 and G.O.Ms. No.98 dated 15.9.2020 in reducing the number of journalist unions in State and District Media Accreditation Committees. All the four cases are pending before the Court.

The respondent submitted that the Government took a policy decision that it is more appropriate to constitute the accreditation Committees with the Government officials only to avoid apprehensive among the journalist association in the matter to give accreditation to the journalists in transparent manner. Accordingly, Government issued amendment orders in G.O.Ms.No.123 dated 8.12.2020 towards composition of State and District Media Accreditation Committees and the process of issuance of accreditations to the journalists for the year 2021-2022 at State and District level was started. Only the officers of the line Departments i.e. APSRTC, Railways, Labour Department, Medical & Health and Housing Departments are included in accreditation Committees, as their active participation is necessary. He has further submitted that the impugned rules are not discriminatory and unconstitutional. The respondent also submitted that again a Writ Petition filed before Hon'ble High Court of Andhra Pradesh challenging G.O.Ms. No.123 dated 8.12.2020 and the court issued an order of Status quo with regard to accreditation of the journalists pursuant to the impugned G.O. for a period of four weeks and subsequently for three weeks the case is listed on 23.2.2021. Hence, the Status Quo order of Hon'ble High Court is being maintained with regard to issue of accreditation cards. The respondent stated that the validity of G.O.Ms.142 dated 20.11.2019,

G.O.Ms.No.98 dated 15.9.2020 and G.O.Ms.123 dated 8.12.2020 were under challenge and pending before Hon'ble High Court of Andhra Pradesh.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. While Shri K. Amarnath appeared on behalf of the journalist union, Shri P. Kiran Kumar, Joint Director appeared on behalf of the respondent.

The Council took Suo-motu cognizance when it came to its notice that the Government of Andhra Pradesh has constituted the State/District Media Accreditation Committee, not in conformity with the Model Rules framed by the Council.

It has been brought to the notice of the Inquiry Committee that those Rules are under challenge before the Hon'ble High Court of Andhra Pradesh in which the order of *status quo* has been granted.

As the subject matter of this inquiry is *sub judice*, the Inquiry Committee cannot proceed in the matter and recommends for dropping the proceeding.

Members say that there is no impediment in renewing the accreditation cards of presently accredited journalists and according to them the meeting of the Accreditation Committee is not required for the said purpose. Be that as it may as the subject matter of this inquiry is not for the renewal or grant of accreditation card, Hon'ble Chairman is of the opinion that no direction in this regard can be given.

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 Inquiry Committee and decides to drop the proceeding.

Press Council of India

S.No. 15

Case No.22/2020-B.

Complainant

Shri Suresh Chandra,
Editor,
City Glance News,
Badaun (U.P.)

Respondent

Dr. Manjit Singh,
District Leprosy Officer (DLO),
Office of Chief Medical Officer,
Badaun (U.P.)

Dr. K.K. Johri,
Nodal Officer,
Office of Chief Medical Officer,
Badaun (U.P.)

Shri RakeshDubey,
Additional Director,
Health & Family Welfare,
Bareilly Division,
Bareilly (U.P.)

Shri Sanjeev Kumar,
Clerk,
Office of Chief Medical Officer,
Badaun (U.P.)

Shri Rakesh,
Clerk,
Health & Family Welfare,
Bareilly Division,
Bareilly (U.P.)

Adjudication dated 27.05.2021

This complaint dated 28.1.2020 was filed by Shri Suresh Chandra, Editor, City Glance News, Badaun (U.P.) against the staff of the health department, Badaun for allegedly abusing and threatening him to kill due to publication of critical writing.

According to the complainant, he collected sufficient evidence against one fake doctor, Shri Bagish Yadav, who was one of the identified fake doctors in the district as per list of District Magistrate, and submitted to the Office of Chief Medical Officer (CMO), Badaun but no action was taken. The complainant submitted that he published news against Shri BagishYadav on 11.10.2019 due to which the employees of the health department were annoyed with him. The complainant further submitted that he requested many times to Shri Manjeet Singh to take action against the said fake doctor, Shri BagishYadav but no action was taken. When the Additional Director, Health Department, Bareilly passed order for taking action against Shri Bagish, then they changed his name as BrijeshYadav. The complainant informed that due to publication of critical news item, Shri Sanjeev Kumar, Clerk of CMO office started maligning him by making false allegations. Thereafter, he was transferred to another department of the CMO office, and many newspapers published news in this

regard. The complainant alleged that the Clerk of CMO office, Shri Sanjeev Kumar abused and threatened him to kill over phone for raising the issue of fake doctors. The complainant submitted that he has audio-clip of the conversation. In this regard, he complained to the Shri Manjit Singh but to no avail. On 2.11.2019, he complained to the Health Director, Lucknow and on his direction the Additional Director, Health Department, Bareilly started investigation and audio-clip was also handed over to him. While apprehending danger to his and his family, the complainant has requested the Council to take necessary action against the respondents.

Notices for Statement in Reply dated 17.7.2020 were issued to the respondents followed by Time Bound Reminder dated 29.10.2020.

Written Statement of Shri Sanjeev Kumar

Shri Sanjeev Kumar, Clerk, CMO office, Badaun vide his undated written statement, received in the Council on 11.12.2020, submitted that the allegations levelled by the complainant are totally false and baseless. The respondent stated that no illegal act has been done by the Health Department, and on the information published in the newspapers, on-site inspection was done by the concerned Nodal Officer but no clinic named BagishYadav was found at the given address. The respondent further stated that the Senior Superintendent of Police, Badaun had released a list of a total of 679 fake doctors for taking action against them. Accordingly, FIRs were lodged against total 206 persons, who are doing medical practice illegally and after examining the certificates, the Medical Superintendent/Medical Officer-in-Charge, Community/Primary Health Centres, Badaun have been directed to take necessary action against remaining persons. The respondent has stated that he was deputed on the post by the CMO and removed by him, which is normal practice. The respondent alleged that the complainant has threatened him over mobile and also demanded money, but on refusal the complainant made a clip under a conspiracy. The respondent stated that issuing or cancelling any medical license is within the jurisdiction of the Drug Inspector. The respondent alleged that the complainant maliciously levelled false allegation against him.

Counter Comments

The complainant vide his counter comments dated 18.1.2021 while reiterating his complaint has submitted that reply filed by the respondent-Shri Sanjeev Kumar is totally false and thereby tried to mislead the Press Council. The complainant stated that Shri Sanjeev Kumar is protecting Shri BagishYadav. The complainant informed that one Dr. Geetam Singh has also filed case of extortion against Shri Sanjeev Kumar and his team. The complainant has submitted that it is made clear from the letter of Additional Director, Health Department, Bareilly that Shri Sanjeev Kumar changed the name Shri BagishYadav as BrijeshYadav. The complainant stated that Shri Sanjeev Kumar levelling false allegation of blackmailing against him.

Reply of Dr. Manjit Singh

The Respondent-Dr. Manjit Singh, District Leprosy Officer (DLO), Office of CMO, Badaun vide his undated reply while denying the allegation levelled by the complainant stated that no clinic in the name of BagishYadav was found on given address. He has further stated that the complainant has not provided any evidence against the clerk of their office. According to the respondent, on the direction of the District Magistrate, all the Station House Officers of the district provided list of fake

doctors, a copy of which was also provided to their hospital. In the list, the name of BrijeshYadav was mentioned at S.No.80 by the SHO, Civil Lines. The respondent stated that FIRs have been filed against 206 fake doctors in concerned police stations. He has alleged that the complainant maliciously filed this complaint against all the staff of the hospital.

Reply of Dr. K.K. Johri

The respondent-Dr. K.K. Johri, ACMO, Office of the CMO, Badaun vide his reply dated 14.2.2021 has stated that he does not have any official phone and he is also not aware about blocking of any phone number.

Reply of Shri Rakesh Kumar

The respondent-Shri Rakesh Kumar, Junior Assistant, Office of Health & Family Welfare, Bareilly Division vide reply dated 4.12.2020 stated that neither the complainant has filed any written application for providing copy of investigation report nor any direction was given by the Controller Officer (Additional Director) to him for providing copy of investigation report to the complainant. The respondent has further stated that he has only performed his official duties.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. While complainant appeared in person, S/Shri Rajesh Dubey, Sanjeev Kumar and Rakesh Kumar appeared on behalf of the respondents.

It is the allegation of the complainant that due to his critical writing respondents, particularly respondent, Shri Sanjeev Kumar had threatened him. In support of the allegation, he has filed a CD of the conversation he had with the said Shri Sanjeev Kumar. Reply has been filed by the respondent Shri Sanjeev Kumar as also Dr. Manjit Singh and Dr. K.K. Johri. The Inquiry Committee has heard the recording of the conversation which the complainant had with said Shri Sanjeev Kumar. Further, the Inquiry Committee has heard the complainant, Shri Sanjeev Kumar and other respondents and is of the opinion that the grievance of the complainant is absolutely misconceived. 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 Inquiry Committee and decides to dismiss the complaint.

PRESS COUNCIL OF INDIA

S.No. 16

F.No. 159/2020-B.

Complainant

Shri Sumit Rathi,
Journalist,
Shamli (U.P.).

Respondent

The Inspector General of Police,
Saharanpur Range,
Saharanpur (U.P.)

The District Magistrate,
District Shamli (U.P.)

The Superintendent of Police,
District Shamli (U.P.)

The District Excise Officer,
District Shamli (U.P.)

Adjudication dated 27.05.2021

This complaint dated 26.5.2020 was filed by Shri Sumit Rathi, Journalist, Shamli (U.P.) against the police authorities for allegedly lodging false FIR due to publication of critical writings.

According to the complainant, he is continuously publishing news regarding illegal mining and illegal extortion by the police in Dainik Jagran, due to which Shri Vinit Jaiswal, Superintendent of Police, Shamli and Shri P.K. Singh, Inspector, Police Station Jhinhana were annoyed with him and kept pressurising him not to publish the news. The complainant further submitted that the Inspector and other policemen demanded liquor free of cost from his brother's liquor shop and on refusal by him (the complainant) they pressurised him. On 7.4.2020, the police raided at his Braj Farm (banquet hall) and registered false FIR case of violation of lockdown through Excise Inspector, Shri Ajay Singh by showing recovery of liquor bottles. He got bail from the court. The complainant has stated that the police forcibly broke the lock of banquet hall and took cameras and DBR so that the truth of the incident could not be revealed. The complainant alleged that the police is continuously threatening him for implicating in Goonda Act and Gangster Act.

Notices for Statement in Reply dated 28.10.2020 were issued to the Dy. IGP, Saharanpur, the District Magistrate and the Superintendent of Police, Shamli and the District Excise Officer, Shamli.

Written Statement

Ms. Jasjit Kaur, District Magistrate, Shamli; Shri Nityanand, Superintendent of Police, Shamli and Shri Hariom Singh, District Excise Officer, Shamli vide joint written statement dated 21.11.2020 while denying the allegations levelled by the complainant submitted that police and excise team jointly raided at Braj Farm on

7.4.2020 and arrested the complainant while he was illegally selling liquor during lockdown. In this regard, case No.164/2020 under Section 60(3)/63 under Excise Act and Section 188 of IPC registered in Police Station Jhinhana. The respondents have further submitted that on the basis of the rules of United Provinces Excise Act, 1910 and the government orders, a mitigation fee of Rs.1,00,000/- was charged, which was deposited by the complainant.

Written Statement of the Superintendent of Police, Shamli

Mr. Sukirti Madhav, Superintendent of Police, Shamli vide written statement dated 11.12.2020 submitted that several bottles of illegal liquor recovered from the complainant's farm house during the lockdown on 7.4.2020 and on the complaint of Shri Ajay Singh, Inspector, Excise Department, case No.164/2020 under Section 60(3)/63 under Excise Act and Section 188 of IPC registered in Police Station Jhinhana against the complainant, who was released on bail on 20.4.2020. During the investigation, it has come to light that liquor was taken from the liquor shop of complainant's brother, Shri Yogendra and being sold in the complainant's farm house. Therefore, Section 269/271 of IPC and 3 Epidemic Act added also in the case and on the basis of sufficient evidence, chargesheet No.275/2020 has been filed against the complainant-Shri Sumit Rathi and Shri Yogendra. The respondent has further submitted that the District Magistrate, Kairana, while intercepting the said charge sheet, instructed the Investigation Officer to dispose of the inquiry on merits by finding the name and address of the owner of the Braj Farm House. During the investigation, a certified copy of the deed of land belonging to the farm house was obtained, and found that the land is registered in the names of Shri Sumit Rathi and Shri Yogendra Rathi. Fulfilling the objection made by the District Magistrate, the investigation has been finished on 25.6.2020. The respondent has mentioned that the complainant also addressed a letter to the IGP, Saharanpur requesting him to get inquiry done from Saharanpur district. Thereafter, IGP, Saharanpur vide letter dated 13.6.2020 directed the Sr. Superintendent of Police, Saharanpur to investigate the matter. The Additional Superintendent of Police (City), Saharanpur investigated the matter and states that the allegation levelled by the complainant could not be proved during investigation.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. While the complainant appeared in person, the respondent is represented by Shri Gajendra Singh, Sub-Inspector.

The Inquiry Committee has heard the complainant as also Mr. Gajendra Singh, Sub-Inspector of Police, Shamli Police Station. It is the allegation of the complainant that for his critical writings respondents have threatened to implicate him in criminal cases. Reply has been filed by the District Magistrate as also the Superintendent of Police in which it has been stated that during the lockdown the complainant was found involved in selling liquor. The complainant states that the allegation made against him is false.

It is common ground that after investigation, the complainant has been chargesheeted in the case. As the subject matter of allegation is sub-judice before the competent court of law, the Inquiry Committee is not inclined to proceed in the matter any further and disposes 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 Inquiry Committee and decides to dispose of the complaint being sub-judice.

Press Council of India

S.No.17

Case No.82/2020-B.

Complainant

Shri Shaikh Nazar Mohammad,
Journalist,
Dainik Janbaaz Patrika,
Bundi (Rajasthan)

Respondent

The Superintendent of Police,
District Bundi,
Rajasthan.

Shri Sureshchand Gujjar,
Station House Officer,
Police Station Lakheri,
Bundi, Rajasthan.

Shri Shambhu Dayal Prasar,
President,
Kirana Vyapar Sangh, Lakheri,
Bundi, Rajasthan.

Adjudication dated 27.05.2021

This complaint dated 8.4.2020 was filed by Shri Shaikh Nazar Mohammad, Journalist, Dainik Janbaaz Patrika, Lakheri, District Bundi, Rajasthan against Kirana Vyapar Sangh and police authorities for allegedly filing false case against him due to publication of critical writing.

According to the complainant, he prominently published news regarding irregularities prevailing in Kirana Vyapar Sangh, Lakheri. Annoyed with this, Shri Shambhu Dayal Prasar, President of Kirana Vyapar Sangh filed false report against him on 1.4.2020 in Police Station Lakheri accusing him of taking goods without money. The complainant further submitted that the Station House Officer, Police Station Lakheri raided at his residence on 3.4.2020 with a view to arrest him. The complainant submitted that he wrote to the higher police officers in this regard but no action has been taken.

Notices for Statement in Reply were issued to the Superintendent of Police, Bundi, Station House Officer, PS-Lakheri, Bundi and the President, Kirana Vyapar Sangh, Bundi on 10.6.2020 followed by reminder dated 30.10.2020.

Written Statement

Shri Shambhu Dayal, President, Kirana Vyapar Sangh, Lakheri, Bundi vide undated written statement, received in the Council on 25.11.2020, submitted that the complainant illegally started collecting the food/goods and cash from the shopkeepers during the lockdown in the garb of journalism, due to which he filed case against him in the police station. The respondent further submitted that three cases related to extortion and others are pending against the complainant and earlier he has also gone to jail. The respondent also submitted that the complainant often

harasses eminent people and businessmen by publishing false news against them, which is a violation of journalistic conduct.

Counter Comments

The complainant in his counter comments dated 3.2.2021 stated that the respondent levelled false and fabricated allegations against him without any evidence. The complainant further stated that he was acquitted by the court in case No.112/2014 and 94/2016, which were maliciously filed due to publication of critical writings. The complainant also stated that the case No.58/2020 filed by the Kirana Vyapar Sangh with a view to hide their black deeds.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. There was no appearance from either side.

Despite service of notice, the complainant has not chosen to appear. In the absence of the complainant, the Inquiry Committee is not inclined to proceed in the matter any further and recommends for 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 Inquiry Committee and decides to dispose of the complaint.

Press Council of India

S.No. 18

Case No.171/2020-B.

Complainant

Shri Saurabh Gangwar,
President,
Kumayun Yuva Press Club,
Udhamsingh Nagar,
Uttarakhand

Respondent

The Director,
Information & Public Relations
Department,
Govt. of Uttarakhand,
Dehradun.

The District Information Officer,
District Udhamsingh Nagar,
Uttarakhand.

Adjudication dated 27.05.2021

This complaint dated 16.4.2020 has been filed by Shri Saurabh Gangwar, President, Kumaun Yuva Press Club, Udhamsingh Nagar, Uttarakhand against the District Information Officer, Udhamsingh Nagar for non-issuance of press passes during lockdown.

According to the complainant, as per guidelines/advisory issued by the Central government during lockdown, the electronic and print media were exempted. The complainant has further submitted that Shri B.C. Tiwari, District Information Officer, Udhamsingh Nagar issued press passes during lockdown only to the electronic media and daily newspapers but no passes were issued to the small weekly and monthly newspapers due to which the readers were deprived of information about the corona pandemic. The complainant alleged that the action of the respondent is an attack on freedom of press. He has requested the Council to take necessary action in the matter.

Notices for Comments dated 28.10.2020 were issued to the Director, Information & Public Relations Department, Govt. of Uttarakhand, Dehradun and the District Information Officer, Udhamsingh Nagar.

Comments received from the Deputy Director/DIO, Udhamsingh Nagar

Shri Yogesh Mishra, Dy. Director/District Information Officer, Udhamsingh Nagar vide his letter dated 19.11.2020 stated that Shri B.C. Tiwari, DIO has been retired and thereafter he has deputed as DIO, Udhamsingh Nagar. He has further stated that since the matter is not of his tenure, he is not aware of it. He furnished comments of Shri B.C. Tiwari, DIO (Retd.).

Shri B.C. Tiwari (Retd.) District Information Officer, Udhamsingh Nagar in his comments dated 19.11.2020 while denying the allegation stated that the legitimacy of the complainant's institution "Kumayun Yuva Press Club" has been over as per letter dated 18.11.2020 of the Deputy Registrar, Firms, Societies and Chits, Udhamsingh Nagar. The respondent further submitted that the passes were issued to the complainant, S/Shri Saurabh Gangwar, K.P. Gangwar and Tapas Kumar

but due to non-availability of appointment letters and other required documents, the passes were not issued to the other journalists. The respondent stated that he discharged his duties as per advisory issued by the Central Government and State Government and also as per decision/directions of District Magistrate/District Press Magistrate. The respondent has further stated that the strict steps were taken by the District Magistrate to stop the spread of Corona infection. According to the respondent, most of printing presses were closed during the lockdown, therefore, publication of weekly/fortnightly/monthly was completely stopped. While denying the allegation of misusing his position, the respondent has stated that he was obeying the direction of the District Magistrate.

Comments received from Addl. Director, I&PRD, Govt. of Uttarakhand

Dr. Anil Chandola, Additional Director, Information Public Relations Department, Dehradun vide letter dated 23.11.2020 has informed that the order dated 24.3.2020 issued by the Government of India during the lockdown has been ensured at the level of the District Magistrates and no separate order has been issued by the Directorate of Information in this regard.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. While the complainant appeared in person, Shri Kripal Lal Tamta, Additional District Information Officer, Udham Singh Nagar appeared on behalf of the respondent.

The Inquiry Committee has heard the complainant as also Mr. Kripal Lal Tamta, ADIO for the respondent. The grievance of complainant is of non-issuance of the press passes during the lockdown. Mr. Tamta states that during the corona period, it was decided by the District Magistrate that passes shall only be issued to daily newspapers and the channels and not to the fortnightly or weekly newspapers and hence no pass was issued to the journalists working for the weekly or the fortnightly newspapers. The complainant, Mr. Gangwar states that passes have been issued to few of the journalist working for the weekly and fortnightly newspapers. This has been denied by the respondent. Be that it may, if few passes have been issued to the journalists working for the weekly and the fortnightly newspaper illegally that will not entitle the other journalists working for such newspapers to get the pass.

The Inquiry Committee does not find any 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 Inquiry Committee and decides to dismiss the complaint.

Press Council of India

S. No. 19-20

Case No. 184-185/SM/2020-B

Suo-Motu cognizance with regard to alleged targeting of journalists for reporting during COVID-19 lockdown period in Punjab.

Adjudication dated 27.05.2021

The Council took suo-motu cognizance on the basis of the report published by Rights and Risks Analysis Group (RRAG), which claims to be an independent think tank that analyses the risk of violation of Human Rights dated 15.06.2020. According to the report, Major Singh Punjabi, reporter of Rozana Pehredar was mercilessly tortured on 22.5.2020 by Punjab Police in Mohali when he was covering the meetings of two groups. Despite giving his identity as a journalist, the policemen forcibly pushed him in a private vehicle bearing a Haryana number and took him to the Phase-1 Police Station at Mohali. Mr. Om Prakash, ASI, started beating him up with a stick at the time he was stepping out of vehicle. The two ASIs dragged him to the lockup, tortured, abused and humiliated him and pushed his turban away. Despite repeated requests, they did not pay attention to his request and threw his “Kangha” also.

In another incident, Punjab Police booked a reporter Mr. Jai Singh Chhibber, Punjab for writing a news report about an unnamed Congress Minister for following the suggestions of astrologers. The Police registered a case against Mr. Chibber under Sections 188 and 505 of the IPC (disobeying a public official and making statements which incite the commission of offence), and Section 67 A of the IT Act (obscenity).

While taking Suo-Motu cognizance in the matters, the Press Council issued Notice for Comments to the Chief Secretary to the Govt. of Punjab, The Additional Chief Secretary (Home) and the Director General of Police, Punjab on 09.07.2020.

Comments received from the Special Chief Secretary

The Special Chief Secretary (Home), Punjab Government, Department of Home Affairs and Justice (Press-I Branch) vide reply dated 25.9.2020 has submitted that in case of brutal beating of Journalist Major Singh Punjabi, Mr. Om Prakash & Mr. Amarnath, ASI have been suspended and Mr. Om Parkash was transferred to District Tarn Taran. Search for remaining accused is going on. The case is under investigation and FIR against Reporter Mr. Jai Singh Chibber, Punjab: FIR no. 84 dated 21.05.2020 has been cancelled.

Communication dated 15.6.2020 received from Mr. Major Singh

The affected journalist, Shri Major Singh has submitted a letter dated 15.6.2020 addressed to the SSP, SAS Nagar at the time of hearing on 17.12.2020 stating that during the coverage of a dispute between the management of Gurudwara Kalgidhar Singh Sabha the Police official, ASI, Shri Om Parkash and ASI, Shri Amarnath abused and took him to the Police Station Phase -1, Mohali and was brutally beaten and tortured by ASI, Om Parkash. He has further submitted that no

FIR was registered against the said officials. He has requested the SSP to register the FIR against the culprits.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi.

The Council took Suo-Motu cognizance when it came to its notice that during the coverage of a dispute between Management of the GurudwaraKalgidhar Sahib Singh Sabha, one journalist, Shri Major Singh was abused, assaulted and tortured by the Police personnel. Accordingly, a report was called for from the State Government. The Special Chief Secretary (Home) by letter dated 18.09.2020 has submitted its comments in which it has been stated that in relation to the brutal beating of the journalist, Shri Major Singh, ASI, Shri Om Parkash and Shri Amarnath have been suspended. ASI, Om Parkash was further transferred to District Tarn Taran.

Mr. Major Singh appears in person. Respondent is represented by Shri Pritpal Singh, SI, Phase-I, Mohali Police Station. He states that in relation to the incident an inquiry is being conducted by Mr. Himanshu Jain, IAS, Sub Divisional Magistrate, Khar. He further states that a departmental proceeding is pending against the erring Police personnel. He has further brought to the notice of the Inquiry Committee that names of erring Police personnel have surfaced during the course of investigation and on that basis Police personnel have also been made accused in the case. Admittedly, incident had taken place on 22nd of May, 2020 and because of involvement of the Police personnel in beating of the journalist, the matter is being inquired by an officer of the rank of Sub-Divisional Magistrate. Further, departmental proceedings and criminal investigation in respect of the said incident are pending. The Inquiry Committee is of the opinion that for an incident of this nature, the respondents ought to have expedited the inquiry and investigation to give lesson to those who violate others freedom. In the facts and circumstances of the case, the Inquiry Committee directs the Chief Secretary of the State as also the Director General of Police to ensure that the Inquiry and investigation of the cases relating to the assault on the journalist, Shri Major Singh are concluded expeditiously, preferably within a period of two months from the date of receipt of this Order. The Inquiry Committee recommends for disposal of the matter, 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 dispose of the matter.

Press Council of India

S.No. 21

F.No.13/90/19-20-PCI.

Complainant

Shri Akhil Bansal,
General Secretary,
Akhil Bharatiya Jain Patra
Sampadak Sangh,
Jaipur (Rajasthan)

Respondent

The Commissioner & Govt. Secretary,
Information & Public Relations
Department, Govt. of Rajasthan,
Jaipur (Rajasthan)

The Director,
Information & Public Relations
Department, Govt. of Rajasthan,
Jaipur (Rajasthan)

The Registrar,
Office of the Registrar of
Newspapers for India,
New Delhi.

Adjudication dated 27.05.2021

Shri Akhil Bansal, General Secretary, Akhil Bharatiya Jain Patra Sampadak Sangh, Jaipur, Rajasthan vide his complaint dated 04.07.2019 has submitted that the Commissioner & Govt. Secretary, Information & Public Relations Department, Govt. of Rajasthan, Jaipur issued a Circular No.प.9 संपर्क/9670-9708 dated 07.06.2019 directed all District Information & Public Relations Departments for regular inspection and monitoring of all empanelled newspapers for advertisements, their circulation figures for issuance of advertisement and submit report within a month. It has been further stated in the circular that regular checking of circulation figure of newspapers etc. should be ensured in future also.

The complainant has submitted that this circular is not appropriate as per rules, because only RNI has the right to take such action. He has requested the Council to take necessary action in the matter.

Notices for Comments were issued to the Commissioner & Secretary, Information & Public Relations Department, Government of Rajasthan, Jaipur, DIPR, Government of Rajasthan and the Registrar of Newspapers for India (RNI), New Delhi on 26.7.2019 followed by a Time Bound Reminder dated 21.10.2019.

Comments received from the Commissioner, I & PRD, Jaipur, Rajasthan

The Commissioner, Information & Public Relations Department, Government of Rajasthan, Jaipur vide comments dated 11.11.2019 has stated that the Government of Rajasthan has framed Rajasthan Advertising Rules, 2001 in order to issue Government advertisements to approved newspapers published from the State of Rajasthan. Under this rule, a detailed provision has been framed for classification of newspapers, advertisement rates, size estimate of advertisement etc. for issuance of

advertisements. Under Rule 16 of the said Rules, 2001, the Information & Public Relations Department has been given powers to investigate and verify whether any approved newspaper is not violating these rules. The respondent has stated that under these rules powers have also been given for scrutiny of the circulation figure, distribution and regularity of approved newspapers; verification in the context of statistics as maintained by Registrar of Newspapers for India (RNI) or any other relevant authority as well as seeking information from the management of the newspaper regarding purchase and use of paper, ink for printing, accounts etc. According to the respondent, there is also provision for taking advice from the Press Council of India or the Advisory Committee constituted under Rule 15 whether they have any doubts that the approved newspaper is not following the required ethical standards.

The respondent has stated that the complainant has filed this complaint due to lack of information regarding provisions given in the Rajasthan Advertisement Rules, 2001, which is not only unfair but also contradicts the provisions given in the said rules. The respondent has further stated that the said Circular No.५.९ संपर्क/९६७०-९७०८ dated ०७.०६.२०१९ has been issued by the Department for the purpose of general supervision only under the powers conferred, in which there is no interference against any kind of rule. The respondent has also stated that there is provision in Rule 17 of the said Act that *“If it is proved that the information given by any approved newspaper is wrong or is in violation of the provisions, then the Government can remove the name of that newspaper from the advertisement list. But newspaper management will be given a fair chance to clarify its stand”*. The respondent has stated that after issuing the said circular, they have not received any complaint of unfair harassment from any small or medium newspaper. He has requested the Council to file it being a baseless complaint.

Brief of RNI regarding Circulation

Shri Harshit Narang, Assistant Press Registrar, RNI vide letter dated 15.12.2020 has submitted a brief of RNI regarding Circulation Verification of newspaper/periodical. He has submitted following points regarding the Circulation Verification of publications:

1. Regional/Branch PIB offices conduct circulation verification of different newspapers/periodicals (whose circulation figure is above 25000) on request of publishers and submit the Report to RNI headquarters for record keeping.
2. Circulation verification is carried out based on the annual statement submitted by the publisher to RNI.
3. Circulation verification certificates issues by RNI/PIB is valid for two years.

Further reply from the Additional Press Registrar, RNI

Smt. Rina Sonowal, Additional Press Registrar, RNI vide letter dated 22.2.2021 submitted that as per section 19 (D) of the Press & Registration of Books Act, 1867 it is the duty of the publisher to furnish to the Press Registrar an annual statement in respect of the newspaper at such time and containing such of the particulars referred to in sub-section (2) of section 19B as may be prescribed. Further as per Section 19 (E), *“The publisher of every newspapers shall furnish to the Press*

Registrar such returns, statistics and other information with respect to any of the particulars referred to in sub-section (2) of section 193 as the Press Registrar may from time to time require.”

At present, the information required to be submitted accordingly, includes the figures of circulation too which are then verified using the powers vested in the Press Registrar or any gazetted officer authorized by him in writing in this behalf vide Section 19 (F) of the Press & Registration of Books Act, 1867.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. There was no appearance on behalf of the complainant. Shri Shivram Meena, Public Relation Officer represented the I&PRD, Jaipur, Rajasthan.

The complainant is aggrieved by the circular dated 7th of June, 2019 of the Govt. of Rajasthan whereby it had directed all District Information and Public Relation Departments for regular inspection of all newspapers empanelled for advertisement and for checking their circulation figures for issuance of advertisement and to submit report within one month. According to the complainant, this can be done only by the RNI. Reply has been filed by the RNI in which it has been stated as follows:

Regional/Branch PIB offices conduct circulation verification of different newspapers/periodicals (whose circulation figure is above 25000) on request of publishers and submit the report to RNI headquarters for record keeping.

Circulation verification is carried out based on the annual statement submitted by the publisher to RNI.

Circulation Verification certificates issued by RNI/PIB is valid for two years.

Respondent State of Rajasthan to justify its action has relied on Rajasthan Advertisement Policy, 2001, particularly Rule 16 and 17 of the Rules. The Inquiry Committee is of the opinion that no law prohibits the State Govt. to make such a policy. It has transpired during the course of inquiry that few other State Governments have also made such policy. In the opinion of the Inquiry Committee, the policy framed is not beyond the jurisdiction of the State Govt. and, therefore, the Inquiry Committee is not inclined to interfere with the said policy. 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

S.No. 22

Case No.291/2020-B.

Complainant

Shri Harishankar Upadhyay,
Editor,
The Pillars of Democracy,
Thane (Maharashtra)

Respondent

The Registrar,
Office of the Registrar of
Newspapers for India (RNI),
New Delhi.

Adjudication dated 27.05.2021

This complaint dated 14.7.2020 has been filed by Shri Harishankar Upadhyay, Editor, the Pillars of Democracy, Thane (Maharashtra) against the Registrar of Newspapers for India (RNI), New Delhi regarding non-registration of his newspaper.

According to the complainant, his wife was owner/publisher of “The Pillars of Democracy” but due to her ill-health, she could not comply with the requirement of filing annual statement under Section 19D of the PRB Act. The complainant further submitted that after her demise, being her husband and her defacto successor he filed the Declaration Form-1 along with all required documents. This Declaration has been duly authenticated by the Sub-Divisional Magistrate (SDM), Thane and the personnel in the office of SDM instructed him to send one copy to the RNI. Accordingly, he sent a copy of the Declaration to RNI office, which was delivered to RNI office on 28.5.2019. The complainant also submitted that on telephonic enquiry from the RNI, he was informed that the Declaration is not available in the office and they advised him to send the same through email. Accordingly, he sent the same through email. Again on inquiry, he was advised to come to RNI office and submit the Declaration manually. Accordingly, he visited RNI office and submitted the original authenticated copy of the Declaration along with all requisite documents but no action has been taken.

The complainant has further submitted that he complained to the Secretary, Information & Broadcasting, New Delhi on 22.9.2019 with copy to RNI. In response thereto, the RNI vide discrepancy letters dated 25.9.2019 and 17.1.2020 not only requiring him to submit so many documents duly authenticated by and through SDM but saddling with a heavy penalty of Rs.14,000/- for failure of his deceased wife to submit annual statement at the rate of Rs.1,000/- per year. The complainant submitted that the Section 19K of the PRB Act, 1867 prescribes a fine for such failures for an amount which may extend to Rs.500/-. Similarly the Rule 12 of the Registration of Newspaper (Central) Rules, 1956 prescribes a fine which may extend to Rs.1,000/-. In both the cases, the provisions do not say that the fines to be imposed are the rates for per year of default. According to him, as such sitting over the default for 14 years to see that the default continues endlessly and then at some opportune time saddling the hapless persons like him with the hefty penalty like the one in the instant case to the tune of Rs.14,000/- is the most unreasonable act on the part of the concerned authority. The complainant stated that with respect to another requirement mandated upon him that he must submit a copy of the agreement with the printer, he want to submit that the circulation of the monthly newspaper is hardly 100 copies. So all that he do is an oral agreement rather bargaining with the

printers as to rates and quality etc. and most often he is tempted to change the printers in case of their being unreasonable. The complainant further submitted that the respondent RNI levelled many unreasonable conditions in Discrepancy Letter, which must be withdrawn.

Comments

In response to Notice for Comments dated 9.11.2020, Ms. Rina Sonowal, Additional Press Registrar, RNI vide comments dated 23.11.2020 submitted that the title "The Pillars of Democracy" was registered by RNI on 7.12.2005 as bilingual (English and Hindi monthly) in favour of Mrs. Malti Upadhyay from Thane. The respondent further submitted that the RNI has no record of receiving any application on 28.5.2020 as alleged by the complainant. An application for revised registration submitted by the complainant was received by RNI on 21.8.2019. However, a discrepancies viz. certificate of family members/legal heirs, affidavit for transfer of ownership cum NOC, agreement with the printing press, original certificate of registration, etc. were found in the documents submitted by the publisher. The respondent has stated that the allegation of delay on the part of RNI is without basis and is unfounded. According to the respondent, a letter was issued by RNI to the Publisher on 25.9.2019 as multiple discrepancies viz. certificate of family members/legal heirs, affidavit for transfer of ownership cum NOC, agreement with the printing press, original certificate of registration, etc. were found in the documents submitted by the publisher. It has also been observed from the record that no annual statement has been furnished by the publisher since its registration in 2005. The respondent mentioned that mandated under Section 19D of PRB Act, 1867 non-compliance of Section 19D is a punishable offence under Section 19K. RNI accepts penalty @ Rs.500/- per year defaulted for publishers who paid the penalty between 2004 and 14.11.2018 and Rs.1,000/- per year defaulted for publishers who paid the penalty w.e.f. 15.11.2018 onwards. Referring the Section 19D of PRB Act, 1867, the respondent stated that the penalty against contravening Section 19D was enhanced to Rs.1,000/- per defaulted year under Rule 12 of the Registration of Newspaper (Central) Rules, 1956. Referring Rule 7(3) of Registration of Newspaper (Central) Rules, 1956, the respondent has stated that agreement with the printing press and certificate of family members and transfer cum NOC are among the requisite documents required by RNI in verifying veracity of particulars provided by the publishers. In the case, where change of ownership of a registered newspaper/periodical is involved, transfer of ownership/NOC is a prerequisite to making of new declaration by the publisher. According to the respondent, presuming that a proper transfer affidavit/NOC was to be executed by the owner (living legal heirs of the deceased owner in the present case), the publisher was advised to make a new declaration as the same cannot precede the execution of transfer of ownership. The respondent further stated that the RNI accepts revised registration applications submitted by the publishers. However, documents such as form of declaration etc. should be authenticated by official seal and signature of the District Magistrate within whose jurisdiction the newspaper/periodical is being published or printed. Referring Rule 7(3) of Registration of Newspaper (Central) Rules, 1956, the respondent has stated that the certificate of registration issued to the publishers are recalled by the RNI during revised registration to ensure that the same is not being misused. The respondent has further stated that a publisher can send all registration documents directly to RNI provided documents such as form of declaration (Form-1), transfer affidavit/NOC, keeper's declaration etc. are duly attested by official seal

and signature of the District Magistrate within whose jurisdiction the newspaper/periodical is being published or printed.

Counter Comments

The complainant vide his counter comments dated 26.12.2020 while denying the reply of the respondent-RNI submitted that all required documents received by the RNI on 28.5.2019 but the correct date is 28.6.2019. While providing the details of communication with the RNI office, the complainant submitted that this chronology of the verifiable facts proves beyond doubt the amount of delay and inaction that has taken place in the office of the Press Registrar. According to him, finding fault with everything in his Declaration, in the form of objection/discrepancy letter dated 25.9.2019 (fondly known as DL in RNI office) not only requiring him to submit so many documents duly authenticated by and through SDM but saddling with a heavy penalty of Rs.14,000/- for failure of his deceased wife to subject annual statement at the rate of Rs.1,000/- per year. With regard to penalty, the complainant submitted that the Section 19K of PRB Act, 1867 prescribes a fine for such failures for an amount which may extend to Rs.500/-. Similarly the Rule 12 of the Registration of Newspaper (Central) Rules, 1956 prescribes a fine which may extend to Rs.1,000/-. In both the cases the provisions do not say that the fines to be imposed are the rates for per year a default. As such sitting over the default for 14 years to see that the default continues endlessly and then at some opportune time saddling the hapless persons like him with the hefty penalty like the one in the instant case to the tune of Rs.14,000/- is the most unreasonably act on the part of the concerned authority. The complainant has further submitted that in case of conflicts in the provisions of the Controlling Acts and controlled rules the provision of the Controlling acts must prevail. The PRB Act is the Controlling Act in the instant case and hence the fine of Rs.500/- prescribed under the PRB Act should prevail over the fine of Rs.1,000/- prescribed under the Central Rules, 1956. He has stated that he must submit a copy of the agreement with the printer. He has further stated that the Rule 7(3) of the Registration of Newspapers (Central) Rules, 1956 has been wrongly interpreted and misunderstood. This rule does not give any arbitrary and unbridled power to the Registrar. The complainant stated that he already submitted all required documents to the RNI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. While the complainant appearing in person, Shri HarshitNarang, Assistant Press Registrar appeared on behalf of the respondent-RNI.

The Inquiry Committee has heard the complainant in person and Mr. HarshitNarang on behalf of the respondent. Mr. Narang states that the complainant has not removed the discrepancies as pointed by the respondent in its letters dated 17th/23rd of January 2020. The complainant states that all these discrepancies shall be removed within three months. The complainant doing so, the respondent shall permit transfer of ownership within four weeks from the date the discrepancies are removed. In view of the aforesaid, the Inquiry Committee recommends for disposal of the complaint and while doing so makes it clear that no further discrepancies shall be allowed to be pointed out by the respondents excepting what had been indicated in the aforesaid letter dated 17th of January, 2020. Needless to state that in case the

grievance of the complainant is not remedied, he shall have liberty to approach the Council again.

The Inquiry Committee recommends for 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 Inquiry Committee and decides to dispose of the complaint.

Press Council of India

S. No.23

F. No. 13/148/19-20—PCI

Complainant

Shri Manoj Tibrewal Akash,
Senior Journalist
New Delhi

Respondent

The Chief Secretary,
Uttar Pradesh Government, Lucknow, UP

The DGP, Police Head Quarters, Uttar
Pradesh, Lucknow, UP

Shri Amar Nath Upadhyay, IAS,
Lucknow, UP

Shri Manikant Agrawal,
Superintendent of Works,
T.V.I, D.C.U., Gorakhpur, UP

Shri Rohit Singh Sajwan, IPS,
Superintendent of Police,
District Maharajganj, UP

Shri Kunj Bihari Agrawal, PCS,
ADM, Maharajganj,
District- Maharajganj UP

Shri Ashutosh Shukla, PPS,
Additional S.P., Maharajganj,
District- Maharajganj, UP

Shri Rajesh Jaiswal,
Activist Officer,
Municipal Corporation, Maharajganj, UP

Shri Ashok Kanojia,
Superintendent Engineer,
N.H. Circle, P. W.D, Lucknow, UP

Shri Digvijay Mishra, Regional Officer(CE)
Ministry of Road Transport & Highways- NH,
Biotek Chowk, Lucknow Ring Road,
Vikas Nagar, Lucknow.

Shri R.K. Singh,
A.E. National Highway, P.W.D., Civil Lines,
Gorakhpur, UP

Shri Devanand Yadav, A.E.,
National Highway, PWD,
Civil Lines, Gorakhpur, U.P.

Shri S.K. Verma, Consultant (Team leader)
Authority Engineer, N.H-730, PWD,
Civil Lines, UP

Inspector Sarvesh Kumar Singh,
S.H.O., Maharajganj,
District Maharajganj, UP

Inspector Nirbhay Kumar Singh,
S.H.O. Shyamdeurva,
District Maharajganj, UP

Shri S.K. Singh Raghuvanshi, S.I.,
District- Maharajganj, UP

Shri Neeraj Rai, S.I.,
Nagar Chowki Incharge,
Maharajganj, District Maharajganj, UP

Shri Avinash Tripathi,
S.I., District Maharajganj, UP

Shri Jai Shankar Mishra,
S.I., District Maharajganj, UP

Shri Ran Vijay, S.I.,
District Maharajganj, UP

Ms. Kanchan Rai, S.I.,
District Maharajganj, UP

Ms. Manisha Singh, S.I.
District Maharajganj, UP

Adjudication dated 27.05.2021

This complaint dated 13.10.2019 has been filed by Shri Manoj Tibrewala Akash, Senior Journalist, Delhi against the District Magistrate, Maharajganj Uttar Pradesh for demolishing his ancestral house and for keeping revengeful view against the complainant for publishing critical news items.

The complainant has stated that he is a government recognised senior journalist of the country, accredited by PIB. He has stated, his ancestral house located at Maharajganj, UP have been demolished on 13.9.2019 under a conspiracy and on behalf of the directions of the District Magistrate, Shri Amarnath Upadhyay, as the complainant had published critical news items. He has stated that he works with honesty and publishes news items on the basis of truth. He has also informed that the DM has ordered for demolition without even prior notice or information. The incident done by the DM is against the dignity of his position and has violated the fundamental human rights. The females of the house and other family members passed the night on the roadside and their basic rights such as washroom facility have been encroached.

With construction of national highway 730, some houses of the people were demolished in the name of illegal encroachment of land, and news regarding this has been published by the complainant, due to which the respondent without following any proper procedure, just to insult the complainant, started working in biased manner and demolished his ancestral house.

He has also informed that a day prior to demolition episode, the property was measured and Shri Manikant Agrawal, Revenue Officer directed him that the property needs rupturing from both the sides of the house as per the measurement, which was coming in between the road. On the very same day, the complainant got the needful done as per the directions of the DM. Despite that his house was demolished within the 24 hours without giving any opportunity or notice. The officials entered the house and got the premises vacated with force and misbehaved with the family members and brought them out of the house and held them hostage on the road.

He further stated that despite informing that he is a national level journalist, the respondents and the inspectors deputed on the site viz. S/Shri Sarvesh Kumar Singh, Shyam Dev Urva, Nirbhay Kumar, S.K. Singh Raghuvanshi, Neeraj Rai, Avinash Tripathi, Jaishankar Mishr, Ranvijay, Ms. Kanchar Rai and Ms. Manisha Singh, insulted him in the public, torn shirt and held him, his father and younger brother.

All the assets and medicines kept in the shop of the complainant were turned into the garbage by the respondents and barricading was done around the property. When the ASP, Shri Kunj Bihari Agrawal was requested for collecting the basic needs things, he refused.

He has requested the Council for taking appropriate action against the respondent for such pouring victimising him and crushing his all basic fundamental rights/human rights.

Notices for Statement in Reply were issued by the Council to the respondents on 9.12.2019.

Written Statement

Vide his response dated 4.1.2020, Executive Engineer, Municipal Council, Maharajganj has stated that an investigation was conducted by a team of National Human Rights Commission, New Delhi and a report prepared by the Municipal Council, Maharajganj has been placed before the said team. It has been mentioned in the report that the house tax of the complainant to the tune of Rs. 5040/- is pending since 2016-17 i.e. Rs.1680 per year. The building in question consists of one room, one shop and four rooms are registered for house tax on the survey register.

Written Statement received from the Additional S.P, Maharajganj

Shri Ashutosh Shukla, Additional Superintendent of Police, Maharajganj vide his communication dated 5.1.2020 has filed his written statement, wherein he has stated that his office only received the requisition of the police force for getting the work related to national highway be done legally and smoothly. He has also stated that the work was already going on and the properties were demolished, as the same were constructed on illegally encroached land. The demolition was done peacefully and by following all legal procedures.

While replying to the point wise allegations levelled by the complainant, he has stated that before demolition, the house got vacated by the National Highway's officials and left no person/belongings inside the premises. No one from the family was grappled and brought out, they all came out of the property concerned. No one was made hostage by the police, it was a precautionary measure, as the complainant was again and again rushing towards the demolishing building, just to be careful for him, the labour and police personnel were stopping him. Regarding barricading of the premises, he has stated that as the demolition was undergoing, the routes were changed, and in precautionary measures the area was barricaded. He has also informed that the complainant stated that his fundamental rights have been ignored by the District Magistrate and other concerned authorities, in view of this, he has informed that National Human Rights Commission has also sent a team for investigation in the matter.

Written Statement received from the Additional District Magistrate, Maharajganj

Shri Kunj Bihari Agrawal, Additional District Magistrate, Maharajganj, vide his written statement dated 27.1.2020 has stated that a communication was received from the officers working with National Highway 730 viz. Shri R.K. Singh, Assistant Engineer(III), Shri D.N. Yadav, and Assistant Engineer, Shri S.K. Verma, wherein it was mentioned that for the purpose of widening the road, the illegal encroachments has been demolished. No personal properties have been demolished and no discrimination of any kind has been done with anyone. Further, Shri Rajesh Kumar Singh, Assistant Engineer, National Highway Authority, PWD Department vide his letter dated 25.10.2019 has informed that the road has been widened for 30 mtrs. after proper plan, procedure and approval. The illegal encroachments were demolished. He also stated that two months before 12.9.2019, the concerned encroachers were informed, and except the building of the complainant, other all persons vacated their buildings, due to which disturbance was spread all over. On 13.9.2019, the building was demolished from the land of National Highway. The building was constructed on the encroached piece of land and was owned by National Highway Authority not by any other person or the complainant, and no discrimination has been done with anyone.

Written Statement received from the Superintendent Engineer, PWD, Lucknow

Shri Ashok Kanojia, Superintendent Engineer, PWD, Lucknow, Govt. of UP vide his letter dated 4.3.2020 has stated that regarding the demolition of the building, he submitted that these kind of incident take place with the orders/permission of the officers of the area concerned. No role in whole episode has been played by him, he requested that his name be deleted from the matter.

Written Statement received from the Engineer, PWD, Lucknow & Gorakhpur

Vide letter dated 2.3.2020, Shri R.K. Singh, Engineer, PWD, Lucknow and Shri Devanand Yadav, Engineer, PWD, Gorakhpur have stated that the National Highway 730 was to be widened, persons who encroached the land were informed well in time, most of them have removed their encroachments. The complainant was informed to remove the encroachment and he gave assurance for doing so. He further stated that on 13.9.2020 he was called in the meeting over telephone. The Additional district Magistrate, The District Magistrate, The Superintendent of Police,

The Sub-District Officer, The President, Municipal Council & The District President, BJP were present in the meeting and a decision was taken that some of the part of the building is part of the National Highway Authority and the remaining is part of revenue department and demolition was done.

An email dated 2.3.2020 has been received from the Additional District Magistrate, Maharajganj whereby he has forwarded a grievance of a female member of the complainant's house viz. Smt. Sushma Devi to the PWD and NHAI. In the said letter he has stated that the construction work be done on N.H. 730 while following procedures and laws.

Counter Comments

The complainant vide his counter comments dated 5.2.2020 has expressed his dissatisfaction on the version of the Executive Officer, Municipal Corporation, Maharajganj. He has also stated that the complainant's grievance has not been responded to by him. He added that the Executive Officer accepted that the property in question belongs to the complainant even after that neither he has been issued notice for demolition nor been paid any compensation and his house got demolished.

Regarding the reply of the Additional District Magistrate, Maharajganj, the complainant has stated that the response put up on the record seems to be in doldrums, it is misleading and false in nature. He has referred the pictures that he has annexed with the initial complaint, wherein credibility of his version can be checked. The complainant has requested the Council for justice and hearing in the matter.

Joint letter received from Junior Engineers, Gorakhpur

A joint letter signed by Shri Devanand Yadav, Shri R.K. Singh and Manikant Agarwal, Junior Engineer, Gorakhpur has been received by the Council on 23.2.2021 which states that cases no. 1294/2020 and 13599/2020 of the subject matter are pending before Supreme Court and High Court of Allahabad. They have further informed that the complainant has completed the work of reconstruction on the building in question. The complainant has neither taken permission of National Highway nor approved map of the building has been submitted to the Department.

Further reply from District Magistrate and Superintendent of Police, Maharajganj

Shri Ujjawal Kumar, District Magistrate, Maharajganj and Shri Sarvesh Kumar Singh, Superintendent of Police, Maharajganj vide further reply dated 22.2.2021 and 23.2.2021 respectively submitted that the complainant has filed a complaint no. 27074/24/49/201 before the National Human Rights Commission. The case related to the investigation by National Human Rights Commission under Writ Petition no. 13599/2020 is pending before Hon'ble High Court of Allahabad. Further a Writ Petition No. 1294/2020 has been filed by the complainant before the Supreme Court against the Superintendent of Police, which is under consideration.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. Shri Subhash Raturi, News Editor appeared on behalf of the complainant. Shri Rajesh Kumar, SDM; Shri Rajesh Kumar Singh, Assistant Engineer, National Highway and Shri Avinash Tripathi, Sub Inspector, Maharajganj represented the respondent parties.

Mr. Raturi admits that the subject matter of this complaint is also pending before the Supreme Court. As the matter is sub-judice before the Supreme Court, the Inquiry Committee is not inclined to proceed in the matter any further 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

S.No. 24

Case No.13/121/19-20-PCI.

Complainant

Shri Sohan Singh,
Bureau Chief,
The Pioneer,
Basti (U.P.).

Respondent

Shri Harish Dwivedi,
Member of Parliament,
Basti (U.P.).

Adjudication dated 27.05.2021

This complaint dated 28.8.2019 has been filed by Shri Sohan Singh, Bureau Chief, The Pioneer, Basti (U.P.) against Shri Harish Dwivedi, Member of Parliament, Basti for allegedly threatening to kill him due to publication of critical writings.

According to the complainant, he had published news reports in The Pioneer on 2.8.2019, 4.8.2019 and 17.8.2019 regarding irregularities in construction of an auditorium, which is being constructed under the supervision of the District Magistrate, Basti and the respondent. Annoyed with this, the respondent along with his supporters came to his press office and abused and threatened to kill him. The complainant stated that other journalists were also present at the time of incident. In this regard, he complained to the District Magistrate, Basti and the Superintendent of Police, Basti on 19.8.2019 but to no avail. While apprehending danger to his and his family life, he has requested the Council to take necessary action in the matter.

Written Statement

In response to Notice for Statement in Reply dated 16.3.2020, Shri Harish Dwivedi, MP, Basti vide his written statement dated 12.11.2020 submitted that the complaint is totally false, baseless and fabricated. The respondent further submitted that no incident took place in Pioneer Office on 17.8.2019 as alleged by the complainant. According to him, this complaint has been filed under a conspiracy by his political opponents with a view to tarnish his image. The respondent further stated that certainly his MP fund has been used for the construction of auditorium but it was constructed in the prescribed time under the supervision of the district administration. He has requested the Council to dismiss the case.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi.

Despite service of notice, the complainant has not chosen to appear. Respondent Shri Harish Dwivedi is present. The allegation of the complainant is that he had published news reports against respondent on 2nd of August, 2019, 4th of August, 2019 and 17th of August, 2019 regarding irregularities in construction of an auditorium from MP Land Fund and annoyed with that he had abused and threatened him. The respondent has filed its reply in which he has stated that the allegation made by the complainant is totally false, baseless and fabricated and no

incident as alleged by the complainant had ever taken place. In the absence of the complainant, it is difficult for the Inquiry Committee to ascertain the truth or otherwise of the allegation 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 Inquiry Committee and decides to dismiss the complaint.

Press Council of India

S.No. 25

Case No.152/2020-B.

Complainant

Shri Tumul Vijay,
Editor/Publisher,
Tumul Tufani,
Moradabad (U.P.)

Respondent

The Sr. Superintendent of Post Office,
Moradabad Division,
Moradabad (U.P.).

The Post Master General,
Bareilly Circle,
Bareilly (U.P.)

Adjudication dated 27.05.2021

Shri Tumul Vijay, Editor/Publisher, Tumul Tufani, Moradabad (U.P.) vide complaint dated 7.4.2020 has alleged he is being deprived from postal concessional rate facility by the postal department.

According to the complainant, the entire distribution of his newspaper is based on postal only, and his newspaper is registered by the postal department for postal concessional rate since 1972. Further, it was renewed from 2018 to 2021 but he is being deprived from postal concessional rate since January, 2018 by the respondent-Sr. Superintendent of Post Office, Moradabad stating some technical problem in computer. The complainant further submitted that he wrote to the Post Master General, Bareilly Circle, Bareilly on 12.4.2019 and 7.8.2019 in this regard but no action was taken. Thereafter, he lodged complaint on portal of postal department and in response thereto, the Sr. Superintendent of Post Offices, Moradabad vide letter dated 23.9.2019 assured to restore the facility soon but no action was taken. The complainant has stated that he is facing financial problems due to inaction by the respondent. He has requested the Council to take necessary action in the matter.

Notices for Statement in Reply dated 25.6.2020 issued to the Sr. Superintendent of Post Office, Moradabad and the Post Master General, Bareilly Circle, Bareilly.

Written Statement

The Assistant Director Postal Services, Office of the Post Master General, Bareilly Circle, Bareilly vide written statement dated 15.7.2020 stated that there was a technical problem in booking of the complainant's newspaper. In such situation, the matter is forwarded to the Centre for Excellence in Post Technology (CEPT), Mysore to resolve the problem and after receiving the solution, the technical problem is resolved. The respondent further stated that the technical problem in booking the complainant's newspaper was also sent to the CEPT, Mysore and after receiving the solution, complainant's newspaper was booked for concessional rate but the same problem occurred again. The respondent also stated that every effort was made by the postal department to solve the technical problem. Presently, the problem in this case has been resolved and the complainant's newspaper has been booked on concessional rate on 13.7.2020. The respondent while regretting the delay in

resolving the complaint has stated that it will be the endeavor of the postal department not to have such repetition in future.

Communications from Complainant

The complainant vide letter dated 22.7.2020 reiterated that despite repeated requests, no action has been taken by the respondent department but after Council's intervention, the respondent assured that his grievance will be resolved soon. He has requested the Council to direct the respondent to compensate for financial loss borne by him since 2018.

The complainant vide letter dated 28.9.2020 stated that he went to the Post Office Chandausi, Moradabad on 23.9.2020 along with four bundle of newspapers for registry, but they reiterated the same technical problem. The complainant has further stated that the post office also told him that due to the CEPT company, which referred in written statement of the respondent dated 15.7.2020, it is facing problem since 2018 and whenever the technical fault is resolved, they will register his newspaper. The complainant also stated that after issuance of notice by the Council, the respondent called him over phone and received a bundle of newspaper for registry on concessional rate with a view to mislead the Council. Thereafter, no bundle of newspaper was taken by the respondent for the registry on concessional rate.

Sr. Superintendent of Post Offices, Moradabad

The respondent-Sr. Superintendent of Post Offices, Moradabad Division, Moradabad vide his reply dated 12.2.2021 has informed that a technical problem was occurred while attempting to book the newspaper at concessional rate. Now the problem is resolved and booking of newspaper at concessional rate has been started from 13.7.2020. The respondent has stated that he met to the complainant personally and discussed on the whole issue and the complainant told that he is fully satisfied with the services of the Postal Department.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. While there was no appearance on behalf of the complainant, Shri Vijay Veer Singh Yadav, Assistant Superintendent of Post Offices, Moradabad appeared on behalf of the respondent.

It is the grievance of the complainant that post offices are not accepting the newspaper 'Tumul Toofani' of which he is the Editor for transmission at the concessional rate. It is the allegation of the complainant that the newspaper is registered with the postal department for postal concessional rates since 1972. Despite that, the newspapers are not being accepted by the post office for transmission at the concessional rate. Written statement has been filed by the Assistant Director, Postal Services on behalf of the Post Master, Bareilly Circle in which it has been stated that because of the technical problem it was not done and now the technical problem has been solved and the newspaper is being booked on concessional rates since 13.7.2020. Mr. Vijay Veer Singh appearing on behalf of the

respondent states that thereafter there was no problem in the system, excepting for a day, and newspapers are being booked on concessional rate since then.

In separate letters, the complainant has prayed for taking action against the service provider. The Inquiry Committee is not inclined to entertain this grievance of the complainant in the present proceeding.

As a grievance of the complainant has been remedied, no further direction is needed at this stage. However, the Inquiry Committee would like to observe that in case the system doesn't work for more than seven days, the respondent will have to put in a system for accepting the newspapers manually.

With the aforesaid directions, the Inquiry Committee disposes 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 Inquiry Committee and decides to dispose of the complaint with aforesaid direction.

Press Council of India

S. No. 26

Case No.153/2020-B.

Complainant

Shri Tumul Vijay,
Editor/Publisher,
TumulTufani,
Moradabad (U.P.)

Respondent

The Chief Public Relations Officer,
Public Relations Department,
Northern Railways,
New Delhi.

Adjudication dated 27.05.2021

This complaint dated 07.04.2020 has been filed by Shri Tumul Vijay, Editor/Publisher, TumulTufani, Moradabad (U.P.) against the Public Relations Department, Northern Railways, New Delhi for allegedly non-payment of advertisement bills, non-issuance of advertisements and misbehaviour.

According to the complainant, the respondent had issued advertisements on 23.1.2009 and 11.8.2009, which were duly published in his newspapers on 29/30.1.2009 and 13.8.2009 respectively and accordingly he sent the advertisement bills to the respondent, but despite many requests the respondent did not pay the bills till date. The complainant has further submitted that new advertisement has also not been issued by the respondent department. The complainant has also submitted that the respondent department vide letter dated 04.11.2016 has again sought advertisement bills and the same were provided, but payment of bills was not made despite several written and telephonic requests. The complainant has stated that his newspaper is listed with respondent-department for issuance of advertisement despite that he applied for renewal on 08.08.2019 but new advertisements are not being issued to his newspaper. The complainant has further stated that he also visited the respondent department, where the staff said that they do not get any benefit from him and asked him to leave. He has requested the Council to take necessary action in the matter.

Notice for Statement in Reply dated 25.6.2020 was issued to the Chief Public Relations Officer, Northern Railway, New Delhi.

Communication from the Complainant

The complainant vide his letter dated 20.8.2020 has stated that after issuance of the Council's Notice dated 25.6.2020 the respondent called him for settlement and they also assured for issuance of new advertisements. The complainant has further stated that he cannot visit respondent office due to his age and illness, but if the respondent department is ready to issue advertisement then he is also ready for settlement.

Vide Council's letter dated 28.10.2020, the complainant was requested to clarify whether he wish to pursue his complaint or not. Simultaneously, the respondent was also requested to file written statement in the matter.

Written Statement

The Chief Public Relations Officer, Northern Railway, New Delhi vide written statement dated 07.11.2020 has stated that action is being taken by the office to pay the advertisement bills to the complainant. In this regard, they also contacted the complainant over phone and asked him to visit personally or through representative and receive payment of bills by acknowledging the amount received, but no one has turned up. The respondent has further stated that no assurance of issuance of new advertisements was given to the complainant. The respondent has also stated that due to non-availability of funds, advertisement to fortnightly/weekly/monthly newspapers/magazines has been stopped as per the direction of Ministry of Railways.

Counter Comments

The complainant vide his counter comments dated 28.12.2020 while reiterating his complaint has stated that the reply of the respondent is false. The complainant has alleged that despite repeated requests the payment of advertisement bills has not been made by the respondent. The complainant has stated that he is being misled by the respondent for a long time by assuring payment of the advertisement bills. The complainant has further stated that the respondent is pressurizing him to appear in person and also pressuring to withdraw the complaint. The complainant also stated that he has spent lot of money for recovery of payment. He has requested the Council to take necessary action in the matter.

Communication from the Complainant

The complainant vide his undated communication has stated that only assurance is being given by the respondent for payment of bills since 2000. He has further stated that he has spent more money than advertisement bills in getting the payment of advertisement bills, so in such a situation he is not willing to withdraw his complaint. He has requested for necessary action.

Further reply from the Chief Public Relations Officer

The Chief Public Relations Officer, Northern Railway, New Delhi vide reply dated 01.02.2021 submitted that the editor of the Tumultufani was contacted over phone and requested him to collect payments of bill either by himself or through any representative but none has appeared in the office for collecting the payment. He submitted that payment can be done only after giving receipt by the complainant. Neither complainant nor any representative has come in the office to collect the payment. Further, he submitted that the Ministry of Railway in pursuance of the direction of the Govt. of India has stopped releasing advertisements to weekly, fortnightly and monthly newspapers.

Further communication from the complainant

The complainant vide communication dated 16.2.2021 while reiterating the complaint submitted that he is being harassed by the respondent. When he visited the office of the respondent, the staff misbehaved with him. Further, he submitted that information related to stoppage of advertisement by the government was sought by him under the RTI but the application was returned with postal order. He

submitted that he is an old person and unable to travel alone and the respondent has intentionally stopped payment of bills from past 21 years.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. There was no appearance on behalf of the complainant. Shri Parveen Kumar, Chief Office Superintendent and Shri A.K. Singh, Chief Publicity Inspector represented the respondent.

Mr. A.K. Singh states that pay order for the amount due to the complainant for publication of the advertisement shall be sent to the complainant by speed post within one weeks' time.

Let it be done.

In view of the aforesaid undertaking, the Inquiry Committee is not inclined to proceed in the matter any further and disposes 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 dispose of the complaint.

PRESS COUNCIL OF INDIA

S.No.27

F.No.13/108/18-19-PCI

Complainant

Shri Kulwant Singh,
Managing Editor,
Tekri Times Weekly,
Bhopal (M.P.)

Respondent

Smt. Jyoti Shah Narwariya,
District Supply Controller,
Food Branch,
Office of the Collector,
Bhopal (M.P.).

Shri Pratap Singh Thakur,
Food Supply Inspector,
Food Branch,
Office of the Collector,
Bhopal (M.P.).

Shri Lakhwinder Singh Gill,
Food Supply Inspector,
Food Branch,
Office of the Collector,
Bhopal (M.P.).

The Superintendent of Police,
Bhopal,
Madhya Pradesh.

Adjudication dated 27.05.2021

This complaint dated 19.9.2018 was filed by Shri Kulwant Singh, Managing Editor, Tekri Times Weekly, Bhopal (M.P.) against S/Shri Pratap Singh Thakur and Lakhwinder Singh Gill, Food Supply Inspectors, Office of the Collector, Bhopal for allegedly abusing, manhandling and threatening to kill him on the direction of Smt. Jyoti Shah Narwariya, Food Supply Controller.

According to the complainant, he reached the office of the Collector on 28.8.2018 for getting information under RTI Act for publication of news. Smt. Jyoti Shah Narwariya called him in her Chamber and pressurised to withdraw the RTI applications and also offered money. On denial, he was thrashed by the Food Supply Inspectors, S/Shri Pratap Singh Thakur and Lakhwinder Singh Gill on her direction due to which he got injured. The complainant further informed that his son took him to Police Station-Kohefija where police got his medical examination done but did not register his complaint and sent him back. The complainant submitted that he drew the attention of the higher police authorities but no action was taken.

Notices for Statement in Reply were issued to the respondents on 26.11.2018.

Written Statement

The respondents-Smt. Jyoti Shah Narwariya, District Supply Controller, Shri Pratap Singh Thakur and Shri Lakhvinder Singh Gill, Food Supply Officers, Food Branch, Office of the Collector, Bhopal vide their joint written statement dated 1.12.2018 while denying the allegations levelled by the complainant stated that the complaint is false, baseless and fabricated as he was neither manhandled nor pressurised to withdraw RTI applications. According to the respondents, their office received two applications under RTI Act from the complainant on 28.8.2018 and the information sought by him was duly provided vide their office letters dated 31.8.2018 and 12.9.2018, from which it is evident that the allegation levelled by the complainant that they pressurised him to withdraw the applications is false and fabricated. The respondents further informed that the complainant vide RTI application dated 8.1.2018 sought opinion and action taken under the rules on prevalent matters. Since the information sought by the complainant was not clear and there was no provision to prepare such information under RTI Act, the application was disposed of and intimation in this regard was sent to the complainant on 19.1.2018. In this regard, the complainant filed an Appeal before the First Appellate Officer (District Collector, Bhopal), which was disposed of on 26.3.2018. The respondents stated that it is evident that the applications and appeal filed by the complainant were duly replied. The respondents alleged that the complainant misled the Press Council by filing false and fabricated complaint.

Counter Comments

The complainant vide his counter comments dated 26.12.2018 while reiterating his complaint has stated that the written statement filed by the respondents is false. The complainant informed that after the incident on 28.8.2018, the respondents gave a false complaint to the police against him. In this regard, he had sought a copy of the complaint under RTI Act from the Kohefija Police Station but they did not provide the same stating that the matter is under investigation. The complainant alleged that the respondents are trying to implicate him in false case.

The complainant vide communication dated 6.3.2019 submitted that the respondent-Smt. Jyoti Shah Narwariya gave false information under RTI Act that no complaint was given by her to the police against him, while the complaint filed by the respondents is under investigation as evident from the RTI reply received from the City Superintendent of Police, Bhopal. The complainant alleged that the respondents misled everyone by giving false information.

By Order dated 21.8.2019, the Superintendent of Police, Bhopal impleaded as party in this case and a Report in the matter was called for from him vide Council's letter dated 5.9.2019.

Communication from the respondent, Shri Lakhvinder Singh Gill

The respondent-Shri Lakhvinder Singh Gill, Food Supply Inspector, Bhopal vide his letter dated 8.8.2019 informed that the complainant filed a complaint dated 29.8.2018 against him, Smt. Jyoti Shah Narwariya and Shri Pratap Singh, Food Supply Inspector with the Superintendent of Police, North Bhopal and after investigation, no allegation was found cognizable in the report. While denying any involvement in manhandling as alleged by the complainant, the respondent stated that the whole complaint is totally fictitious, absolutely false and malafide. The respondent while

denying any violation of provision of law, has requested the Council to reject the complaint with heavy cost.

Communication received from complainant

The complainant vide letter dated 10.10.2019 informed that when the respondents-Shri Pratap Singh Thakur and Shri Lakhwinder Singh got to know about the directions of the Inquiry Committee that a Report was called for from the Superintendent of Police, they stopped him on 3.10.2019 and forced to withdraw the complaint filed before the Press Council. The complainant submitted that when he had gone to the Police Station to file the complaint in this regard, he was told that as the matter is pending before Press Council, he should complaint there only.

Report filed by the Sub Inspector, Kohefiza, Bhopal

The Sub Inspector, Kohefiza, Bhopal, M.P. vide Report dated 25.2.2020 submitted that as per the investigation, it was found that the complainant often seeks information under RTI Act from Food and Supply Department. On 28.8.2018, the complainant along with his son visited the said department and demanded personal educational documents from Food Supply Controller under the RTI Act. When the Food Controller denied to give the requisite information, an argument ensued between them and a case No. 472/2018 under Sections 232, 504 had been registered in Kohefiza Police Station. After the investigation, it came out that the complainant generally seeks information from employees and officers of Food Supply Department. On refusal, he threatens to file a complaint in the State Information Commission. He further submitted that in whole investigation, no criminal activity found to be involved in the case.

Further communication from the complainant

The complainant, Shri Kulwant Singh, vide communication dated 24.7.2020 submitted that he apprised the Superintendent of Police, Bhopal about the order passed by the Inquiry Committee on 1.7.2020 and he gave him assurance but no action was been taken so far nor he was called by Kohefiza Police Station till date. He further submitted that he is being threatened by Shri Pratap Singh and Shri Lakhwinder Singh to settle the matter.

Report of the Superintendent of Police, Bhopal

Shri Ramji Srivastava, Superintendent of Police (Headquarters), Bhopal vide report dated 23.2.2021 submitted that the complainant filed a report dated 28.8.2018 against Food Inspectors, S/Shri Lakhwinder Singh Gill and Pratap Singh regarding manhandling with him. The complainant was sent to the Government Hospital, Bhopal for medical examination and in the opinion of the Doctor, the injury suffered by the complainant was simple in nature and accordingly, NCR No.472 of 2018 under Section 323 and 504 of Indian Penal Code was registered.

It was further stated in the report that Smt. Jyoti Shah Narwariya, Shri Lakshwinder Singh Gill and Pratap Singh of Food Department also filed complaint dated 31.8.2018 against the complainant alleging that he filed 57 application under RTI Act and thereby seeks personal information of the employees of the department. He also threatened them and used unparliamentary language whenever visited in the office.

It was also stated in the report that the complainant filed complaint to the higher police officer and the matter was investigated by Police Station Kohifija.

During the investigation, the statement of the complainant and S/Shri Lakhwinder Singh Gill and Partap Singh was recorded. It was found in the investigation that the complainant filed 57 applications under RTI Act due to which a dispute occurred between them.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2021 at New Delhi. While there was no appearance on behalf of the complainant, Shri Mitesh Mujalde, Sub-Inspector appeared on behalf of the respondent, Superintendent of Police, Bhopal.

It is the allegation of the complainant that he was assaulted by S/Shri Pratap Singh Thakur and Lakhwinder Singh Gill at the instance of Smt. Jyoti Shah Narwariya, Food Supply Controller. The Superintendent of Police, Bhopal has submitted a report in which it has been stated that the complainant was sent to the Government Hospital, Bhopal for medical examination and in the opinion of the Doctor, the injury suffered by the complainant was simple in nature and accordingly, NCR No.472 of 2018 under Section 323 and 504 of Indian Penal Code was registered. The Superintendent of Police in his report has also annexed the medical report which clearly indicates that the injury suffered by the complainant is simple in nature.

In view of aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further. However, Inquiry Committee gives liberty to the complainant to take recourse to any legal remedy available to have in law, in case he is aggrieved by the registration of the case under Section 323 and 504 of the Indian Penal Code.

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 Inquiry Committee and decides to dispose of the complaint with aforesaid direction.

Press Council of India

S.No.28

F.No.13/190/Suo-Motu/19-20-PCI.

Suo-motu cognizance with regard to arrest of the journalists in Mangalore.

Adjudication dated 27.05.2021

The Press Council of India took suo-motu cognizance when it came across a news report appearing in 'The Telegraph' dated 21.12.2019 under the caption "Journalists locked up in Mangalore".

It was reported in the news report that seven journalists from Kerala were detained on 20.12.2019 for several hours by police when they went on assignment to the City in Karnataka to cover the protest against the amended citizenship law, and "treated like criminals" and denied basic amenities. The reporters and photojournalists from reputable channels like Asianet News and their driver were released only after Kerala Chief Minister, Shri Pinarayi Vijayan wrote to his Karnataka counterpart, Shri B.S. Yediyurappa, expressing "deep concern" and urging him to intervene to get the journalists released. It is further reported that the journalists faced such treatment a day after the Home Minister of BJP – ruled Karnataka accused people from Left-governed Kerala of inciting the violence in Mangalore, near the states' common border, in which two people died in suspected police firing. According to the news report, after reaching Kerala, the Asianet News Reporter, Shri Mujeeb told The Telegraph that they were treated like criminals all through this horrendous experience. They were kept for four hours in the police van that took them to Mangalore South Police Station for the next three hours. They were denied food and water and not allowed to go to the washroom. Besides Shri Mujeeb and his cameraman Shri Pratheesh, Media One Reporter-Shri Shameer and his cameraman-Shri Aneesh, News 24 Reporter- Shri Anand and his cameraman Shri Ranjith, News 18 cameraman-Shri Sumesh and Media One driver Shri Salik were detained. The cameraman asserted that they had authorisation from Kerala. It is further reported that the journalists had assembled at 7 a.m. at Wenlock Hospital near Mangalore town, where the post-mortems of the two deceased persons were to be conducted three hours later. The journalists said they showed the accreditation cards to the Commissioner of Mangalore Police and he said their authenticity needed to be checked. Once they were bundled into a police vehicle, the cops took away their mobiles and cameras. According to the news report, Kerala Chief Minister asked State Director General of Police to get in touch with his counterpart in Karnataka to secure the release of the detained media personnel. The Chief Minister also wrote to his counterpart Shri Yediyurappa and urged him to intervene to get the journalists released. Shri Yediyurappa told reporters in Bangalore that the Kerala journalists were not in possession of identity cards. They did not have identity cards and they were questioned and then freed.

Notices for Comments were issued to the Chief Secretary, Government of Karnataka and the Commissioner of Police, Bengaluru on 24.12.2019 followed by a reminder dated 28.1.2020.

Comments

The Under Secretary to the Government of Karnataka, Home Department (Law & Order), Bengaluru vide comments dated 13.2.2020 informed that a detailed report in the matter was called for from the Commissioner of Police, Mangalore City and according to the report submitted by the Commissioner of Mangalore City, protests against the passage of Citizen Amendment Act (CAA) had attracted wide spread agitation from many groups who were against the Bill. Organisations voicing peaceful protests against enactment of CAA in Mangalore City were given permission from the Office of the Commissioner of Police to peacefully hold the protests prior to 19.12.2019. The respondent further stated that there were reports that some organisations might call for a Bandh on 19.12.2019 and 20.12.2019. Hence as a precautionary measure prohibitory order under Section 144 Cr.P.C. was imposed in Mangalore City on 18.12.2019 at 21:00 hrs till 20.12.2019 at 24:00 hrs and since then no permissions were given for Jathas, Rallies, Demonstrations, Protests etc. and wide publicity was made in this regard.

According to the respondent, on 19.12.2019 at around 14:30 hrs some persons planning to organize protests defying the prohibitory orders gathered near Hamilton Circle and started obstructing traffic, blocking the roads and begun to shout slogans against CAA. Though proper Bundhobast was made and even after proper warning, the group of unlawful assembly turned into violent mob and started to pelt stones and threw soda bottles at the Police. To control the violent mob, lathi charge was made, rubber bullets were fired. The mob became more violent and started attacking Police on duty and attempted to set fire to Manglore North Police Station. They also made an attempt to loot a nearby gun shop and procure weapons in order to fire on Police Station, which might have caused more damage to the life of Police personnel and to the Police Station. At this juncture, Police had opened fire and to the control the violent mob, as a result, two people have died and around 65 Police men and public were injured. In this regard, 40 cases are registered at different Police Stations till now and are under investigation.

The respondent further stated that the law and Order situation continued to remain tense and Curfew was imposed. The incidents of gathering of mobs were being reported here and there continuously. On 20.12.2019, people gathered in a large number as the dead bodies of deceased persons were to be handed over. By that time, major violence was anticipated. Since the situation at Wenlock Hospital was getting fluid, identity of all those present at the spot was being ascertained. Similarly, media fraternity was asked to produce media accreditation cards/Government issued I.D. cards. Some persons who claimed to represent media, but were not carrying accreditation cards, were asked to obtain the same from respective organisation. The rest of the journalists who produced the I.D. cards were allowed to continue with the coverage. Even after waiting for reasonable period of time, these persons could not show the Govt. I.D. Cards. Hence keeping in view the prevailing security scenario, especially with the curfew order in force, they were escorted under Police security and were dropped to Manjeshwara Police Station to ensure their safety. The foregoing will clearly bring out the fact that police have taken utmost precautionary measures in the interest of public safety and there is no

malafide involved. The respondent has requested the Council to consider the report and drop the proceeding in the matter.

Further reply filed by the Commissioner of Police

Shri Vikash Kumar Vikash, IPS, Commissioner of Mangaluru City, Mangaluru vide further reply dated 10.12.2020 while reiterating the reply filed earlier forwarded details of those persons who could not produce Accreditation Card at Wenlock Hospital. They may be seen as under:

1. Mohammad Hussain Saliq, S/o K.M. Hyder Kalider House, Pravanad Post, Kannananadu, Kasaragod, Kerala.
2. Shabeer P.U., S/o Umar PM, Puttanpedige House, Tali Post, Thrisuur, Kerala.
3. Anis K K, S/o U V Kunhikannah, R/o Kashagola House, Kannanadu, Kasaragod, Kerala.
4. Chenianpuran, S/o Ayanudu, Chunooru, Chirarkal, Chegottur Post, Mallapuram, Kerala.
5. Rajnita M, S/o Chandravati, Housing Colony, Manipady, Madhur, Ramadasa Nagar, Kasaragod, Kerala.
6. Ananda K, S/o Rajan T, R/o Kayyankottu House, Kottal, Payyanur, Kannur, Kerala
7. Sumesh V C, S/o Valson V C, R/o Valiyacheriyat Post, Morazha, Kannur, Kerala.
8. Pratish M, S/o M Kunniraman, R/o Mundaparan House, Anchampeedika Post, Kannur, Kerala

He has submitted that even after waiting for reasonable period of time, they could not obtain the Government Id Cards and keeping in view the prevailing security scenario, especially with curfew orders in force, they were escorted to the Police Station and subsequently on verification of their identity with Kerala counterpart, they were taken with security to the Karnataka- Kerala border and were handed over to Kerala Police of Manjeshwar.

By Order dated 16.12.2020, the replies of the eight persons/journalists from Kerala as mentioned in the reply of the Commissioner of Police, Mangalore were sought on 11.1.2021.

Reply of Shri Shabeer PU, Journalist from Kerala

Shri Shabeer PU, Journalist from Kerala vide his submission dated 25.2.2021 submitted that during coverage of a protest near Wenlock Hospital, Mangalore against the CAA & NRC (Citizen Amendment Act and National Registry of Citizenship) for his news channel Media One TV, the police demanded to show the identity card from the journalists. He showed the identity card, but police demanded to show Accreditation Identity card. He has further submitted that without giving an opportunity to explain, the police detained him along with several journalists from Kerala and they forcefully grabbed the camera and mobile phones. Some of the journalists, who holding Accreditation Cards were also detained and forcefully dragged into the police vehicle and they were bundled up on the floor/platform of the vehicle. They were detained within the police vehicle for seven hours without giving any proper explanation for their detention. He has stated that the concerned police

officers are liable to be prosecuted and proper measure may be taken to ensure freedom of press in the country.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2021 at New Delhi. While Shri Vijay Ranjan Singh, Special Resident Commissioner, Karnataka Bhawan and Shri Mahesh Prasad, Police Inspector, Mangalore City appeared on behalf of the respondent-government, Shri Jaimon Andrews and Shri Sandeep Thakur, Advocates appeared on behalf of journalists from Kerala.

The Council took Suo-motu cognizance when it came to know about arrest of journalists in the City of Mangalore and accordingly, called for the Report from the Government of Karnataka. The report has been received from Government of Karnataka.

The Inquiry Committee has perused the report submitted by the Government of Karnataka for taking the journalists in preventive custody. The Inquiry Committee is satisfied with the Report of the Government that the journalists were taken into preventive custody and later on released. The Inquiry Committee, accordingly, drops the proceedings.

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 Inquiry Committee and decides to drop the proceeding.

Press Council of India

S.No. 29

F.No.180/2020/SM-B.

Suo-motu cognizance on FIR lodged against unknown media institutions on publication of news about Kanpur Government Girls Shelter Home.

Adjudication dated 27.05.2021

The Member, Press Council of India vide email dated 24.6.2020 has brought to the notice of the Council that the District Probation Officer, Kanpur has lodged an FIR No.0135/2020 under Section 188/228A/505/74/23/3/51 dated 22.6.2020 in Police Station Swaroop Nagar, Kanpur City against unknown media persons/institutions due to publication/telecasting the news about HIV infected girls in Kanpur Government Girls Shelter Home. It has been further stated that since nobody's name is mentioned in the FIR, there is a fear among all media persons that whoever goes for news coverage can be indulged in the case, which is affecting the freedom of press.

While taking suo-motu cognizance of the matter, Notices for Statement in Reply dated 25.6.2020 were issued to the Chief Secretary, Government of U.P., Director General of Police, Commissioner of Police, Kanpur City, District Magistrate, Kanpur City and the Sr. Superintendent of Police, Kanpur City.

Written Statement

Shri Dinesh Kumar P., Sr. Superintendent of Police, Kanpur City vide written statement dated 4.7.2020 has submitted that the matter was investigated by Dr. Anil Chandola, Superintendent of Police (West), Kanpur City and as per report, Shri Ajit Kumar, District Probation Officer, Kanpur has lodged an FIR No.0135/2020 dated 22.6.2020 under Section 188/228A/505 of IPC Section 74 of Juvenile Justice (Care & Protection of Children) Act, Section 23 of POCSO, Section 3 of Epidemic Act and Section 51 of Disaster Management Act in Police Station Swaroop Nagar, Kanpur City against unknown for publication/telecasting the news about HIV infected girls in Kanpur Government Girls Shelter Home by various media without intimating any officer. The case is being investigated by Shri Amar Singh, Sub-Inspector. During the investigation, the District Probation Officer, Kanpur City has produced various news clippings of the newspapers and screen shots of Twitter Accounts. Other witnesses related to this case were quarantine due to COVID-19 infection. It has been informed that the complainant of this case and the Superintendent of Government Girls Shelter Home have been suspended by the administration. The respondent has further informed that the matter is being investigated. The respondent has stated that the freedom and functioning of the media/press was not affected in any way in the case, but based on the evidence, action is being taken as per rules. The respondent has further stated that the Circle Officer, Inspector In-charge and Investigating Officer have been directed for disposal of the case on merit at the earliest.

Further Reply from Respondent

The Circle Officer, Swaroop Nagar, Kanpur City vide his report dated 24.2.2021 while reiterating the above submission of the Sr. Superintendent of Police, Kanpur City has added that after the investigation, the police has found that no offence has been committed. Accordingly Final Report No.03/2021 dated 12.1.2021 and chargesheet dated 18.2.2021 has been submitted before the Hon'ble Court.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2021 at New Delhi.

The Council took Suo-motu cognizance when it came to its notice that an FIR has been lodged against unknown media persons because of publication of some news about Kanpur Girls Shelter Home and a Report was called for from the Chief Secretary and the Director General of Police. Mr. Deepak Kumar Pal, Additional City Magistrate and Inspector, Shri Yashwant Singh of Swaroop Nagar, Kanpur Nagar Police Station are present. The Circle Officer, Swaroop Nagar, Kanpur Nagar has submitted Report in which it has been stated that after investigation the police has found that no offence has been committed and accordingly, Final Report No.3/2021 has been submitted in the court of competent jurisdiction.

In view of aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further and drops the proceeding.

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 Inquiry Committee and decides to drop the proceeding.

Press Council of India

S.No. 30

F.No.13/134/19-20-PCI.

Complainant

Shri Kishore Kumar Dagdi,
Publisher/Editor,
Karmyagya,
Ujjain (M.P.).

Respondent

The Director General,
Bureau of Outreach and
Communication (BOC),
Government of India,
New Delhi.

The Addl. Director General,
Press Information Bureau,
Bhopal (M.P.).

Adjudication dated 27.05.2021

Shri Kishore Kumar Dagdi, Publisher/Editor, Karmyagya, Hindi weekly, Ujjain (M.P.) vide his complaint dated 16.9.2019 has stated that he submitted issues of his newspaper every month in the office of Press Information Bureau, Bhopal since 2017 but the DAVP (now Bureau of Outreach and Communication) excluded his newspaper from the list of renewal of rate stating that his newspaper is not regular. The complainant further stated that as per DAVP Policy-2017, there is no obligation to take any news agency for the circulation of 10,000 but still his newspaper is excluded from the list, which led him suffer financially and mentally. The complainant has also stated that he is regularly submitting the issues of his newspaper till date. While producing documents in support of his allegation, the complainant has requested the Council to take necessary action in the matter.

Notices for Statement in Reply dated 7.2.2020 were issued to the Director General, Bureau of Outreach and Communication, New Delhi and the Additional Director General, Press Information Bureau, Bhopal.

Written Statement of the Bureau of Outreach & Communication

Ms. MaushumiChakravarty, Additional Director General, Bureau of Outreach & Communication (BOC), New Delhi vide written statement dated 17.2.2020 has submitted that the rate of complainant's newspaper has not been renewed due to lack of source of news in the issues, which was intimated to the complainant through BOC's website. The respondent has further submitted that as per the record available with them, the complainant has not submitted the required issues in their office so far. The respondent has stated that it is not possible to consider the complainant's newspaper for rate renewal as the complainant has not submitted the required issues in BOC.

Written Statement of the Press Information Bureau (PIB)

Shri PrashantPathrabe, Additional Director General, Press Information Bureau (PIB), Bhopal vide written statement dated 26.2.2020 has submitted that the complainant regularly submitted issues of the newspaper from January, 2018 to

January, 2020 in PIB office for DAVP regularity report and the regularity report has been submitted by the PIB every month, which may be seen at DAVP's online regularity report. The respondent has further submitted that the complainant did not fill the column of page number in its January, 2019 issue (which was submitted by the complainant in February, 2019). Later, the complainant informed over the phone the number of pages and it was corrected in the DAVP site. Perhaps for this reason, the newspaper's issue of January, 2019 is not visible in the DAVP's online regularity report. The respondent has stated that all the responsibilities have been discharged by his office timely and in appropriate manner.

Further Reply from the BOC

Shri Pankaj Nigam, Media Executive, BOC vide letter dated 10.2.2021 has informed that the rate of complainant's weekly has been renewed with effect from 29.10.2020 and no issue of this publication is pending in the office.

Further Reply from the PIB

Shri Prashant Pathrabe, Additional Director General, Press Information Bureau (PIB), Bhopal vide his written statement dated 22.2.2021 while reiterating his written statement has informed that all issues of complainant's newspaper w.e.f. January, 2018 to January, 2020 have been submitted by the PIB office to the DAVP online regularity report, which is visible at DAVP's site.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2021 at New Delhi. Despite service of notice, the complainant has not chosen to appear.

Grievance of the complainant is that the Bureau of Outreach and Communication had excluded his newspaper from the list of "Renewal Rate". Mr. Akhil Kumar Namdeo appears on behalf of the Press Information Bureau, Bhopal whereas Bureau of Outreach and Communication is represented by Mr. Pankaj Nigam. The Bureau of Outreach and Communication has submitted a Report in which it has been stated that the rate of the complainant's weekly has been renewed w.e.f. 29th of October, 2020.

In view of the statement made in the Report of the Bureau of Outreach and Communication, the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, recommends for 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 Inquiry Committee and decides to dispose of the complaint.