

Adjudications Rendered by the Council on 21.09.2020

Section 14 – Complaints against the Press

Cases heard by Inquiry Committee-II in its meeting held on 20th & 21st January, 2020 at New Delhi.

<u>S.No.</u>	<u>File No.</u>	<u>Subject</u>
1-2	14/274-275/19-20	Complaint of Shri Satbir Singh, Hoshiarpur, Punjab against (i) Dainik Jagran and (ii) Dainik Bhaskar
3	14/486/18-19	Complaint of Shri Sunil Gajanan Godbole, Mumbai against the Editor, Loksatta.
4	14/132/18-19	Complaint of Shri Sunil Gajanan Godbole, Mumbai against the Editor, Loksatta.
5	14/428/18-19	Complaint of Shri Sunil Gajanan Godbole, Mumbai against the Editor of Loksatta.
6	14/53/18-19	Complaint of Ms. Pritee Shah, Chief General Manager-CERC/Editor of Grahak Sathi, Ahmedabad, Gujarat against Dainik Jagran, Kanpur
7	14/341/19-20	Complaint of Shri Vivek Kaushal, Hoshiarpur, Punjab against Dainik Bhaskar
8	14/174/19-20	Complaint of Shri Mohammad Sakib Shabbir Pathan against the Editor of Pratidhwani, Maharashtra.
9	14/429/18-19	Complaint of Dr. Krishan Lal Sethi, Sri Muktsar Sahib, Punjab against the Editor, Saptahik Sukhratnama
10	14/313/19-20	Complaint of Shri Mahesh Kumar Dudi, Jhunjhunu, Rajasthan against Dainik Amber (Censure)
11	14/491/18-19	Complaint of Shri V. Sagar, Secretary, ICAI, New Delhi against The Pioneer, New Delhi
12-13	14/263-264/19-20	Complaint of Shri Deepinder Singh, Advocate, Hoshiarpur, Punjab against (i) Dainik Jagran and (ii) Dainik Bhaskar, Punjab.
14-15	14/331-332/19-20	Complaint of Smt. Reva Chhahariya against the Editors of Punjab Kesari and Jagbani, Jalandhar
16.	14/294/18-19	Complaint of Dr. Pabak Kanungo, Secretary, Jnanmandal Foundation, Cuttack, Odisha against the Editor, The Biswas, Odia Fortnightly, Odisha.
17-20.	14/62-64, 219/19-20	Complaint of Dr. Ajit Singh Grewal, Karnal, Haryana against (i) Dainik Bhaskar (ii) The Tribune (iii) Amar Ujala and (iv) Dainik Jagran
21	14/89/19-20	Complaint of Shri Brajendra Sharan Srivastava Gandhi, Chairman, People Action Justice for All Foundation, Raibareilly against Shri Ashish Awasthi, Bureau Chief, Dainik Hindustan, Raibareilly
22.	14/437/17-18	Complaint of Shri Vijay Goel, Minister of State

		Statistic & Programme Implementation, Parliamentary Affairs, New Delhi against Times of India
23.	14/56/18-19	Complaint of Media Cell, Criminal Investigation Department, Jammu & Kashmir against the Editor, The Sunday Guardian, New Delhi (Censure)
24.	14/433/18-19	Complaint of Dr. S.K.Arora against the Editor of the Times of India, Delhi.
25.	14/128/18-19	Complaint of Dr. Prasun Chakraborti, Chairman IR & AA against the Editor of Syandan Patrika, Agartala.
26-29.	14/182-185/19-20	Complaint of Smt. Anju Agrawal, Ghaziabad against (i) Dainik Jagran (ii) Navbharat Times (iii) Amar Ujala and (iv) Dainik Hindustan

Cases heard by Inquiry Committee-I in its meeting held on 25th & 26th February, 2020 at New Delhi.

<u>S.No.</u>	<u>File No.</u>	<u>Subject</u>
30.	14/418/19-20	Complaint of Shri Vedantam Giri, Addl. Resident Commissioner, Telangana Bhawan, Delhi against the Editor of Andhra Prabha, Hyderabad.
31.	14/715/18-19	Complaint of Shri Dev Sharma against Shri Neeraj Sharma and Shri Anand Verma, Agency Holders of Dainik Jagran.
32.	14/354/18-19	Complaint of Bhagwandeem Sahu, Sant Shri Asharam Ji Gurukul Chhindwara, M.P. against Dainik Bhaskar.
33.	14/352/18-19	Complaint of Shri Bapusaheb Laxman Jaradpatil, Taluka Haveli, Pune against Sakal, Maharashtra
34.	14/252/19-20	Shri Narendra L. Mehta, MLA, Mira-Bhayandar, Thane against Editor of Lakshaydhari, Hindi Saptahik.
35.	14/296/18-19	Complaint of Shri Sanjay S. Kamble, Pune against Lokmanthan, Maharashtra.
36.	14/193/19-20	Complaint of Shri Anil Kumar, Katihar against Dainik Hindustan, Bihar.
37.	14/103/19-20	Complaint of Shri K. Ravikumar, Founder Secretary, Aikya Kerala, Grandhasala & Vayanasala, Changankulangara against the Editors of Malayala Manorama, Kerala
38.	14/571/18-19	Complaint of Dr. Kamlesh Bhandari, Principal, P.M.B. Gujarati Commerce College, Indore against the Editor of Patrika, Indore.
39.	14/502/18-19	Complaint of Shri Harbans Singh Sandhu, Swarajya Hind CHS Ltd. against the Editor of Saqib Times, Mumbai.
40.	14/220/18-19	Complaint of Shri Rakesh Manocha, Jabalpur, M.P. against the Editor of Dainik Bhaskar
41.	14/504/18-19	Complaint of Shri Ram Bilas Yadav, Additional Secretary, Govt. of Uttrakhand, Dehradun against Shri Hemant Kumar Mishra, Editor/Reporter, Crime Review, Lucknow. (Censure)
42.	14/560/18-19	Complaint of Shri Shiv Mohan Singh, Executive officer, Nagar Panchayat U.P against the Editor of Dainik Jagran,

		Kanpur, U.P.
43.	14/43/18-19	Complaint of Shri Wakilur Rehman Khan, Editor, Prabhat Khabar, against Shri Kumar Rajneesh Upadhaya, Editor, Prabhat Khabar, Muzaffarnagar, Bihar
44-51.	14/254-261/18-19	Complaint of Shri Kamal Nath, President, Madhya Pradesh PPC against the State of Madhya Pradesh, Editor of (i) Indian Express (ii) Rajasthan Patrika (iii) Bhaskar (iv) Times of India (v) Jagran (vi) Nai Duniya (vii) Sandhya Prakash (viii) Hindustan Times.
52.	14/8/19-20	Complaint of Shri Narendra Singh Yadav, Director, Komil Singh Shanti Devi Degree College, Kanoj, against the Editor of Dainik Jagran, Kanpur, U.P.
53.	14/9/19-20	Complaint of Shri Prashant Singh, Manager/Director, Chaudhary Jaivir Singh Mahila Shikshan Sansathan Kannauj, U.P. against Dainik Jagran, Kanpur, U.P.
54.	14/640/18-19	Complaint of Shri Subhash Jha, Law Global Advocate, Mumbai against the Editor of The Times of India, Mumbai
55.	14/708/18-19	Complaint of Director, Training & Placement, Oriental College of Technology against the Editor of Pradesh Today, Bhopal.
56.	14/193/18-19	Complaint of Ms. Ritu Garhwal, Secretary, Krish Upaj Mandi Samiti Bareilly, Raisen against the Editor of Aaj ka Sanvidhan, M.P.
57.	14/297/18-19	Complaint of Shri Deepak Choudhary, Neemach Cantt. against the Editor of Nai Dunia, M.P.
58.	14/566/18-19	Complaint of Shri Sadanand S.Ghodgerikar, Pune against the Editor of Loksatta, Mumbai (Censure)

Press Council of India

S. No. 1-2

F.No.14/274-275/19-20-PCI.

Complainant

Shri Satbir Singh,
Advocate,
Hoshiarpur,
Punjab.

Respondent

The Editor,
Dainik Jagran,
Hoshiarpur, Punjab.

The Editor,
Dainik Bhaskar,
Hoshiarpur, Punjab.

Adjudication dated 21.09.2020

This complaint dated 5.8.2019 has been filed by Shri Satbir Singh, Advocate, Hoshiarpur, Punjab against the Editors (i) Dainik Jagran and (ii) Dainik Bhaskar for allegedly publishing false, fabricated and defamatory news items under the captions “मामला दर्ज नहीं किया गया तो शहर बंद करेंगे” (Dainik Jagran) and “अनिल हंस व सुरिंदर भट्टी को इंसाफ न दिया तो 10 को शहर करेंगे बंद-वाल्मीकि समाज” (Dainik Bhaskar) in their issues dated 5.8.2019.

It has been reported in the impugned news items that various organizations of the Valmiki community organised a meeting and decided that if Shri Anil Hans and Shri Surendra Bhatti do not get justice, there will be a “Band” (बंद) Hoshiarpur on August 10.

Denying the allegation levelled in the impugned news items, the complainant has stated that he is fighting against corruption and initiated several proceedings against a person namely, Shri Tikshan Sud, Ex-MLA from Hoshiarpur. He has further stated that the Office Incharge/Journalist of Dainik Bhaskar, Shri Parminder Bariana took money from Shri Tikshan Sud and published fake and paid news in Dainik Bhaskar without taking any version from him. The complainant has also stated that being a clever person, Shri Bariana wrote one sentence at the end of the impugned news item that he said the allegation is baseless showing that he took the reaction. But as a matter of fact no reaction of the incident has been taken from him and on the basis of payment received from Shri Tikshan Sud, Shri Bariana published the impugned news item.

He has further stated that Office Incharge/Journalist of Dainik Jagran, Shri Hazari Lal also took money from Shri Tikshan Sud and published the impugned news item. Shri Hazari Lal did not publish his original response and changed his whole version of the response and simply published the response to save him from legal proceedings.

The complainant has alleged that the impugned news items are totally one-sided, which is violation of the ethics of journalism and principle of natural justice. The complainant has further alleged that the respondent glamorised the protest which was totally illegal and the persons who did this protest are the paid agents of Shri Tikshan Sud and no permission was taken from the administration to hold this protest but the respondents were willing to highlight this issue so that one false FIR may get registered against him. The complainant has informed that the SIT formed by the Sr. Superintendent of Police for the complaints against Shri Tikshan Sud and others and one complaint of Shri Anil Hans and others is simply given against him. The complainant has stated that the respondents did not check the complaints filed by him and Shri Anil Hans and published the impugned news item in a very casual approach.

The complainant also drew the attention of the respondents-Dainik Jagran Group and Dainik Bhaskar Group and the concerned journalists on 5.8.2019 towards the impugned news items but to no avail.

The complainant vide his further letter dated 7.8.2019 has submitted that the respondent newspapers published another news items in their issues dated 7.8.2019 under the captions “इंसाफ के लिए बंद का समर्थन” (Dainik Jagran) and “भारती अंबेडकर सेना ने 10 को होने वाले बंद को दिया समर्थन” (Dainik Bhaskar) reporting that the Bharti Ambedkar Sena has also decided to support the Bandh on August 10 against the misbehaviour with Shri Anil Hans and Shri. Surindra Bhatti.

No Reply

Show-cause Notices were issued to the respondent-Editors, Dainik Jagran, Hoshiarpur and Dainik Bhaskar, Hoshiarpur on 23.9.2019. The Notice issued to Dainik Jagran was received back undelivered from the postal authorities with the remarks “No such editor on Dainik Jagran office”. The Notice issued to the Dainik Bhaskar was also received back undelivered from the postal authorities with the remarks “Refused”. Therefore, the District Magistrate, Hoshiarpur was requested vide Council’s letter dated 11.11.2019 to serve these Notices through their serving agency under intimation to this Council. There has been no response from the District Magistrate.

The complainant vide Council’s letter dated 18.12.2019 was informed about the returning of show-cause notices to the Council from respondent newspapers.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. The complainant represented by Shri Satbir Singh, Authorized representative and

Shri Kapil Yadav-Legal Officer, Shri B.K.Mishra Advocate and Smt. Poonam Atey, advocate appeared for the respondent papers.

The Inquiry Committee has heard the representative of the complainant and has also perused the complaint and other connected papers and finds no substance in the grievance of the complainant.

The Inquiry Committee accordingly recommends for the 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 dispose of the complaint.

Press Council of India

S.No. 3

F.No.14/486/18-19-PCI.

Complainant

Shri Sunil Gajanan Godbole,
Mumbai,
Maharashtra.

Respondent

The Editor,
Loksatta,
Mumbai.

Adjudication dated 21.09.2020

Facts

This complaint dated 29.12.2018 has been filed by Shri Sunil G. Godbole, Mumbai against the Editor, Loksatta, (Marathi) Mumbai alleging publication of false and misleading news item in its issue dated 22.12.2018 under the caption “**Computers, Mobiles now under Government Surveillance**” (Translation provided by the complainant).

As per translation provided by the complainant, it is reported in the impugned news item that Central Government’s Thursday’s ordinance allowing (giving right) to ten investigation & intelligence agencies to watch the to & fro data transfer from people computers & mobiles, and also giving right to check information stored in these devices, to monitor these devices is likely to lead to an uproar in the country. It is further reported that opposition criticised that this ordinance confirms country’s steps towards dictatorship state. Central Finance Minister, Shri Arun Jaitley responded that there was nothing new in the Ordinance and opposition is misleading the nation. He said in Rajya Sabha. It is also reported in the impugned news item that if anything which endangers national security (any suspicious activity leading to this belief) then the computer can be kept under surveillance – an Ordinance was issued in 2009. Exactly same ordinance was issued by Central Home Ministry. According to the news article, ten agencies will not get right to watch computers automatically, and will require consent from Home Secretary to keep a watch on data on any person’s computer, phone, email, data transfer etc. as per the clarification issued by Home Ministry circular. Using this ten agencies have been awarded right of surveillance control. Central Home Secretary signed an ordinance issued on 20th December. It has been further reported that as per new ordinance, computer and similar gadgets will be under surveillance. This includes tab, Smartphone, devices like Google home connected to computer, internet network, data, software. These agencies will have all these under surveillance mechanism is going to intrude into your private life activities.

The complainant has stated that this Ordinance is not exactly same as that of 2009 as claimed by the respondent. He has further stated that on such a sensitive issue the respondent is not giving all the information it receives from PTI or any other news agency. He has also stated that a reader would be totally confused and

that seems to be the intention, after reading the news the way it is reported. He has also stated that it is against National Security to give a feeling to citizen that Government is coming out with Draconian laws to peep into everyone's digital life and will confiscate if they feel so. The ordinance leads to misuse of powers, this is what the message respondent wants to give. It is against democracy and maligns image of ruling Government.

The complainant stated that impugned news has not properly reported and main part has been left out, which is as "these agencies can act on their own and need not wait for Home Secretary's permission, but same has to be obtained within 3 days". The complainant has further stated that by repeatedly mentioning 'now these agencies will keep monitoring (watching)' is giving a false and misleading impression. The complainant has alleged that the respondent published totally false and provocative article.

The complainant has drawn the attention of the respondent towards the impugned news item on 22.12.2018 but no response has so far been received. He has requested the Council to take necessary action in the matter.

A Show-Cause notice was issued to the respondent-Editor, Loksatta, Mumbai on 15.3.2019.

Written Statement

The respondent-editor, Loksatta, Mumbai vide his written statement dated 20.5.2019 while denying the allegation has stated that the complainant has not sent any letter to him and has also failed to comply with the mandatory requirements of Press Council Act. The respondent has further stated that the complainant attached with his complaint, an email sent to loksatta@expressindia.com, which is incorrect. The respondent also stated that the complainant deliberately has not sent any email to Loksatta on correct address and no letter from the complainant has been received by the Loksatta. With regard to the allegation of the complainant that the newspaper is not giving all the information it receives from PTI or any other news agency, the respondent has stated that no PTI news report is attached with the complaint, nor does the complaint set out or quoted the alleged information from PTI or the other agencies which is purportedly with the newspaper and not included in the impugned news report. The respondent has further stated that the impugned news report is by a special correspondent of the newspaper at New Delhi and is not a PTI Report or Report from agencies. The respondent has also stated that the complainant fails to set out or quote the sentence(s) from the impugned news report which would cause confusion to the reader. According to the respondent, there cannot be any bar in discussing the Order dated 20.12.2018 passed by the Ministry of Home Affairs – Cyber & Information Security Division, which empowered and authorizes ten agencies of the Government to intercept, monitor and decrypt and information generated, transmitted, reserved or stored in any computer. To criticise this order or

to discuss the vast powers conferred on the ten agencies, the potential of misuse in a news report, is legitimate public discussion and debate. It is absurd that public discussion and debate on the said order is purportedly against national security. The respondent has stated that there are hundreds of editors, journalists, jurists and eminent personalities who have discussed this order in the press, television, social media, blogs and at public forums and that is the right in a democracy. The respondent has stated that the complainant due to animus has targeted the Loksatta and has no grievance against other. The respondent has further stated that if a reader disagrees with a news report or has comments to make, he or she is always welcome to write a letter to editor but the complainant has chosen not to do so. Apart from that, the impugned news report does not mention to the complainant nor does it refer to him, hence, it is a fit case of dismissal. The respondent has mentioned that neither the Ministry of Home Affairs nor any of the ten agencies empowered by the said Order have made any grievance against Loksatta for the impugned news report. According to the respondent, the impugned news report carried the comments of the Hon'ble Finance Minister, Mr. Arun Jaitly and carried in good faith and public interest and without malice. The respondent has further stated that the said MHA order was widely discussed and criticised in the Press and media. He has requested the Council to dismiss the complaint.

A copy of the written statement of the respondent was forwarded to the complainant on 31.5.2019.

Counter Comments

The complainant-Shri Sunil G. Godbole, Mumbai vide his counter comments dated 1.7.2019 while denying the written statement of the respondent has stated that the reader's response to any news article are published under "Lokmanas" by the respondent-newspaper before editorial page or sometimes in the space in the right bottom on editorial page. The complainant has further stated that the "Lokmanas" email id is loksatta@expressindia.com and he sent the mail on this id. According to the complainant, normally readers' responses to any news or article are published next day or in 2-3 days' time under "Lokmanas". Many letters are from far off places and they write regularly. The complainant has further submitted that their letters reach "Loksatta" within the timeframe i.e. 2-3 days from publishing any article, which means they are mostly sending mails to "Lokmanas" and it gets printed under "Lokmanas". The complainant has also stated that at no place in the respondent newspaper it is mentioned as send mails to girish.kuber@expressindia.com. According to the complainant, he has also sent hardcopy of this mail message by Speed-Post to the respondent, which they have accepted that it reached them. With regard to the statement of the respondent that it is not a PTI report, the complainant has stated that it does not mean the heading can be "Country heading towards dictatorship". The complainant has further stated that there is a huge difference in what is printed, which implied that a machinery is made active which will 24 hours put computers and mobiles under scanning or surveillance. Any newspaper can fight

against government atrocities on citizen, but cannot spread false information and it clearly indicates the motives are to malign government image. He has requested the Council to take strict action in the matter.

A copy of the counter comments has been forwarded to the respondent on 12.7.2019 for information.

Further reply of the respondent

The respondent vide e-mail dated 17.1.2020 informed that legal proceedings are pending before the Hon'ble Supreme Court of India relating to the complaint. The constitutional validity of the Order/Notification dated 20th December 2018 has been challenged and directions have been sought to quash the same. In the circumstances, no inquiry may be held in respect of the matter in respect of which any proceedings are pending before the court.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 21.01.2020 at New Delhi. The complainant appears in person whereas Shri Abhijeet Negi, Advocate and Shri Umesh Jadhav, Sub-Editor appears for the respondent side.

The Inquiry Committee has heard the complainant, Shri Sunil Gajanan Godbole and as also Mr. Abhijeet Negi, counsel for the respondent and has also perused the complaint, the written statement and the counter comments. India is a free country in which every citizen has the right to express his view. Such a right is available to the editor of the newspaper also. The Inquiry Committee is of the opinion, that the view expressed by the respondent newspaper in the impugned article does not violate any norms of journalistic conduct.

The Inquiry Committee accordingly recommends for the 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. 4

F.No.14/132/19-20-PCI.

Complainant

Shri Sunil Gajanan Godbole,
Mumbai,
Maharashtra.

Respondent

The Editor,
Loksatta,
Mumbai.

Adjudication dated 21.09.2020

Facts

This complaint dated 28.4.2019 has been filed by Shri Sunil G Godbole, Mumbai against the Editor, Loksatta, Mumbai for publication of an editorial in its issue dated 8.4.2019 under the caption “Revenge on a Community” with sub-heading ‘it is absolutely illogical or rubbish to impose restriction on Jammu –Srinagar Highway facing terrorist attack’ (English translation as provided by the complainant).

As per English translation provided by the complainant, it is reported in the impugned editorial that “around twenty years back Air India plane from Delhi to Nepal’s capital Kathmandu was hijacked by terrorists and the then External Affairs Minister accompanied Masood Azhar and his terrorist friend to Kandhar to exchange them against safe release of passengers, but beyond that one more decision was taken and that was to ban all flights going to Kathmandu. This led to a lot of trouble for passengers/tourists going to Kathmandu and they had to resort to other means of transport as they were stuck. It was totally laughable decision. This showed how far the government could understand ground realities. The logic that only aeroplanes going to Kathmandu could be high jacked and it was behind that decision. It deserved laughs. It has been further reported that similar to that episode today’s decision is also in relation to Kashmir. This year CRPF convoy travelling on Jammu Srinagar highway was attacked by terrorist. This is a fact failure of our defence machinery. Instead of accepting the same what government did? Government decided to completely stop/block passenger travel/movement on this highway. Why? Because terrorists used passenger vehicle in the attack. Hence whenever there will be a movement of defence personnel on this highway, passenger traffic will not be allowed there. It has been further reported that Jammu & Kashmir is under President rule and there is no elected government in place presently. Governor reports to Home Ministry and works as a representative of Central Government. In short this decision is approved by Central Home Ministry. As per this decision there will not be any passenger traffic on this highway on two particular days of a week. Only exception would be school bus and ambulance. But looking at Government’s idiot attitude that could be temporary. Unfortunately if any attack takes place using school bus or ambulance and forces fail to stop it then this relaxation of rules could be withdrawn.”

According to the complainant the impugned editorial is not based on all the facts about the attack and editor is not a military expert and still has criticized military without all proper evidences. The complainant has further stated that it is written without any sense of responsibility towards army, government and the people of India. The complainant also stated that some observations regarding treatment of Kashmiri people in India, outside their state are baseless and made without any supporting statistics. People of India, the editors alleges, look with suspicion towards

Kashmiris since they belong to a particular religion - another baseless and provocative statement which can divide people on religious lines.

The complainant vide letter dated 12.4.2019 drew the attention of the respondent towards the impugned article with a request to publish apology, but received no response.

A Show-cause notice was issued to the respondent-Editor, Loksatta, Mumbai on 27.5.2019.

Written Statement

The Editor, Loksatta, Mumbai vide written statement dated 17.6.2019 submitted that the complaint is filed with mala fides and gave an incorrect and inaccurate translation of the Editorial appeared in their newspaper. The title of the editorial is correctly translated as "Collective Revenge". The complainant wrongly translated it as "Revenge on a Community". The editorial does not allege targeting of any community by the Government and the editorial is not an attack or criticism of the armed forces of India. The respondent submitted that the editorial does not contain an attack on or criticism of the Army/Armed Forces in Jammu & Kashmir and has submitted that the complainant has no locus standi in the matter as he is not affected by the news report as allegations are not against the complainant and the complaint ought to be dismissed. The respondent also submitted that a reader or member of the public cannot dictate the editorial policy of a newspaper. If he or she does not agree, he or she can write a letter to the editor, for publication, which the complaint has failed to do and in this case the complainant has deliberately twisted and mis-translated the editorial with a mala fide intention to mislead the Council and harm the editor and newspaper. The respondent further submitted that the editorial is the editor's opinion or views on a topical subject. It was written in good faith and in public interest and without malice. The halting of civilian traffic on an important highway is a matter of public interest and it is denied that the said editorial is defamatory of the government or the Armed Forces. The respondent submitted that they have not violated any code of journalistic ethics.

A copy of the written statement was forwarded to the complainant on 5.7.2019 for information/counter comments.

Counter Comments

The complainant vide his counter comments dated 13.7.2019 has submitted that he is agreed that the title was wrongly translated by him, as pointed out by the respondent, but the same was not done with any wrong intention or to misguide anyone. The translation provided for the title by Loksatta is correct, but words mentioned by the complainant catches the essence of the thoughts mentioned in the article. Regarding use of bad language, the complainant accepted that he used bad language, but the article is painted the whole Indian community in such a bad light that he could not control his feelings and he apologize to the editor for the language. The complainant submitted that a very serious topic is handled with such a shallow mindset that it deserves rebuke. The Complainant submitted that any baseless allegations against his country, army and fellow countrymen will lead to such letters and complaints and he has all the right to write such letters.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 21.01.2020 at New Delhi. The complainant appeared in person whereas Shri Abhijeet Negi, Advocate and Shri Umesh Jadhav, Sub-Editor represented the respondent side.

The Inquiry Committee has heard the complainant Shri Sunil Gajanan Godbole as also Mr. Abhijeet Negi for the respondent and has perused the petition of complaint, written statements and the entire record.

The Inquiry Committee is of the opinion that the respondent newspaper has freedom to have an opinion on a contentious issue and journalists can do so without distorting facts. The complainant is free to disagree with the opinion expressed in the newspaper. His disagreement itself will not be enough to hold that the newspaper had violated any norms of journalistic conduct. The Inquiry Committee doesn't find any merit in the grievance of the complainant and accordingly, recommends for the 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. 5

F.No.14/428/18-19-PCI.

Complainant

Shri Sunil Gajanan Godbole,
Mumbai,
Maharashtra.

Respondent

The Editor,
Loksatta,
Mumbai.

Adjudication dated 21.09.2020

Facts

This complaint dated 23.11.2018 has been filed by Shri Sunil Gajanan Godbole, Mumbai against the Editor, Loksatta, Marathi daily, Mumbai for allegedly publishing fake news in its issue dated 17.11.2018 under the caption “Why banks have changed their policies post demonetisation – S.Gurumurthy” (English translation provided by the complainant).

As per English translation provided by the complainant, it has been reported in the impugned news that while supporting PM Modi’s demonetisation move, RSS supporter and RBI Director, Shri S. Gurumurthy has expressed displeasure on the change in Government’s policy towards banks. It is further reported that PSU-Banks, unpaid/outstanding loans and NPAs were increasing since 2009 which reached a maximum in 2014 and suddenly in 2015 the Government changed its policy towards PSUs. It is also reported that Shri Gurumurthy said, some government’s policies give jolts to the economy and invite troubles which are new. According to the news report, Shri Gurumurthy said that some provision should have been taken by RBI to mitigate the problem of huge and ever-increasing outstanding loans. Shri Gurumurthy suggested that RBI should implement schemes to ensure sufficient capital availability and cautioned that the constraints imposed on loans to small business can turn out to be damaging to the economy of India.

The complainant submitted that the facts stated in the news report in the name of Shri S. Gurumurthy are false and concocted as Shri Gurumurthy did not talk about any connection between demonetisation and policy towards PSUs and these are the words of the Editor and not Shri Gurumurthy. According to the complainant, the second misleading fact is that Shri Gurumurthy did not say ‘Government’s some policies give jolts to the economy and invite troubles’ this had never been said by Shri Gurumurthy. Further, he quoted saying ‘working towards increasing outstanding loans proper provisions for PSU banks were necessary’ this was again not stated by Shri Gurumurthy and he did not blame the government for any policy changes said its RBI’s responsibility. The complainant stated that the impugned news report presented a distorted and concocted version of what Shri Gurumurthy spoke and censored many of his sentences from speech giving a wrong picture. The complainant stated that the respondent had tried to portray that Shri Gurumurthy is criticising

Government and the impugned news report is far from objective and truthful reporting.

The complainant has submitted the translation of his letter dated 18.11.2018 to the respondent where he informed the discrepancies in the news reporting to the respondent editor and drawn his attention. While pointing out the wrong facts presented in the impugned news the complainant expressed his objections.

No Reply

A show-cause notice was issued to the respondent-Editor, Loksatta, Mumbai on 19.12.2018 but no response has been received despite issuance of reminder dated 1.1.2020.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 21.01.2020 at New Delhi. The complainant appears in person whereas Shri Abhijeet Negi, Advocate appears on behalf of the respondent paper.

The Inquiry Committee has heard the complainant, Mr.Sunil Gajanan Godbole and as also perused the petition of the complaint and other connected papers. In the facts of the present case and in the absence of any further material produced by the complainant, the Inquiry Committee is not inclined to accept the assertion of the complainant.

The Inquiry Committee accordingly recommends for the 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.6

File no. 14/53/19-20/PCI

Complainant

Ms. Pritee Shah,
Chief General Manager,
Consumer Education and Research Centre
(CERC); and
Editor-Grahak Sathi,
Ahmedabad

Respondent

The Editor,
Dainik Jagran,
Jagran Prakashan Limited,
Kanpur

Adjudication dated 21.09.2020

This complaint dated 8.4.2019 has been filed by Ms. Pritee Shah, Chief General Manager, Consumer Education & Research Centre (CERC) and Editor, Grahak Sathi, Ahmedabad against the Editor, Dainik Jagran for allegedly publishing false and misleading advertisement in its issue dated 23.1.2019 of “घड़ी डिटर्जेंट केक”.

The complainant has submitted that the impugned advertisement published by the respondent newspaper made the following claims:

1. पेश है कफ और कोलर स्पेशलिस्ट (Presenting cuff and collar specialist)
2. अब जैसा भी मैल हो उसका पूरी तरह से सफाया (Clean all kinds of dirt completely)

The complainant wrote to Advertising Standard Council of India (ASCI) in this regard and it responded that in similar complaint the print advertisement's claim were not substantiated in the study carried by an independent third party study, and are thus misleading and exaggerated. The complainant submitted that her organisation i.e. Consumer Education & Research Centre (CERC) has same view about the print advertisement. The respondent Editor continues to publish misleading advertisement in violation of the ASCI's recommendation and the said matter was reported to the Department of Consumers Affairs and the Ministry of Information and Broadcasting.

The complainant vide letter dated 28.6.2019 drew the attention of respondent Editor, Dainik Jagran and requested to immediately withdraw such advertisements.

Written Statement

The respondent Editor vide Written Statement dated 20.8.2019 has submitted that the complaint filed by the respondent is liable to be dismissed and has submitted that the impugned advertisement is not only published in various newspapers but also the same is broadcasted in the electronic media. The newspaper

cannot be held liable for the contents of the advertisement which are specifically created and circulated for publication by the advertiser. The respondent also submitted that the advertiser is solely liable for deficiency in goods, if any and the complainant may get grievances readdressed by the consumer forum or other authorities in case, she finds that the goods advertised are not of the standard it is advertised or the false representations are made by them. He submitted that the complainant has no locus to file the complaint under reply that too by singling out the respondent newspaper, though such advertisements are continuously broadcasted and published in other newspapers. The respondent further submitted that the claim of the complainant that the Advertising Standard Council of India (ASCI) has upheld the complaint against the advertiser are denied for want of knowledge. However, on the basis of such finding that too without providing a copy thereof to them, the complaint in question cannot be entertained. The respondent further submitted that the advertiser alone is responsible for the claims made in the advertisements. He has further submitted that while judging such issues, the Code provides that following points should be considered:

- (a) *Whether the claim or promise is capable of fulfilment by a typical specimen of the product advertised.*
- (b) *Whether the proportion of product failures is within generally acceptable limits.*
- (c) *Whether the advertiser has taken prompt action to make good the deficiency to the consumer.*

The respondent requested the Council that the complaint filed by the complainant is devoid of merits and the same is liable to be rejected.

A copy of the Written Statement was forwarded to the complainant on 29.8.2019.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. The complainant is not present whereas Shri Kapil Yadav- Legal Officer, Shri B.K. Mishra, and Ms. Poonam Atey, Advocates appeared for the respondent paper.

Mr. B.K Mishra appears on behalf of the respondent and states that the respondent, - newspaper before publishing the impugned advertisements shall take into consideration the recommendations of the Advertisement Standard Council of India.

In view of the aforesaid, 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. 7

F.No.14/341/19-20-PCI

Complainant

Shri Vivek Kaushal,
Hoshiarpur,
Punjab.

Respondent

The Editor,
Dainik Bhaskar,
Hoshiarpur, Punjab.

Shri Parminder Bariana,
Journalist,
Dainik Bhaskar,
Hoshiarpur, Punjab

Adjudication dated 21.09.2020

This complaint dated 19-09-2019 has been filed by Shri Vivek Kaushal, Hoshiarpur, Punjab against S/Shri Parminder Bariana, Shiv Kumar Bawa and Shiv Kumar Raju, Working Journalists of Dainik Bhaskar Newspaper, Hoshiarpur, Punjab for allegedly publishing false, defamatory and paid news.

According to the complainant, Shri Parminder Bariana is a highly irresponsible and corrupt journalist. Not a single word is published in the newspaper without obtaining money in the name of advertisement from a person who wishes to give some information to the public. The complainant has further stated that besides being a journalist, Shri Parminder Bariana is a Government teacher, presently posted in Government School, Village Nangal Isher, Hoshiarpur, Punjab and he is also Government contractor. The complainant has questioned as to how a public servant can do business as a Government Contractor along with the job as a journalist.

The complainant has also stated that entire Hoshiarpur edition of Dainik Bhaskar is designed on the instruction of outsiders who are paying to Shri Bariana. According to the complainant, the public servants who release documents under RTI for corruption are defamed by respondents and those public servants are threatened by writing fake news against them through the respondents. The complainant has further stated that respondent has published fake and paid news in Dainik Bhaskar newspaper on 11.9.2019 and 19.9.2019 with heading “100 फीसदी नतीजे लाने व स्मार्ट स्कूल मे योगदान देने वाले जिले के 3 हजार अध्यापक सम्मानित” and “इंडोर स्टेडियम मे बेडमिंटन की प्रेक्टिस करने वालो को करवानी होगी रजिस्ट्रेशन, देनी होगी 1 हजार रुपए फीस” respectively.

The complainant has informed that the respondent has published impugned news items in favour of Education Secretary, Mr. Krishan Kumar because the complainant is doing a job in Education Department, Punjab and getting salary and favours.

The complainant further alleged that the respondents have challenged him for legal action and threatened to publish more defamatory news items. The complainant has further stated that publications of the paid news by the respondents affected the whole community of the area and used his newspaper to victimise RTI activist as well as the public servants who release information against corrupt political leaders of the area and also stated that in accordance with rule and regulation of the Press Council of India any person can raise a matter of professional

misconduct even if he is not directly involved. According to the complainant, in this case he is also a citizen of the same area so he is also affected with the published news and has therefore requested the Council to take necessary action.

No Reply

Show-cause notices were issued to the Editor, Dainik Bhaskar, Hoshiarpur and Shri Parminder Bariana, Journalist, Dainik Bhaskar, Hoshiarpur on 20.11.2019 on the same address. Show-cause notice issued to the Editor, Dainik Bhaskar, Hoshiarpur has been received back undelivered from the postal authorities with the remarks "Refused". Therefore, the District Magistrate, Hoshiarpur was requested vide Council's letter dated 16.12.2019 to serve the notice through their serving agency under intimation to the Council. No acknowledgement has been received from the District Magistrate. However, Notice issued to Shri Parminder Bariana has not been received back and also no reply has been filed by him.

The complainant vide his communication dated 13.01.2020 inter-alia stated that addresses of respondents are correct and they are deliberately refusing Council's communication.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. The Inquiry Committee has heard the complainant represented by Shri Satbir Singh, Authorized representative. The Inquiry Committee does not find any substance in the grievance of the complainant.

Accordingly, the Inquiry committee 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 dispose of the complaint.

PRESS COUNCIL OF INDIA

S.No. 8

File no. 14/174/19-20/PCI

Complainant

Shri Mohammad Sakib Shabbir Pathan,
Sangli,
Maharashtra

Respondent

The Editor,
Pratidhwani,
Sangali, Maharashtra.

Adjudication dated 21.09.2020

This complaint dated 12.6.2019 has been filed by Shri Mohammad Sakib Shabbir Pathan, Sangli, Maharashtra against the editor, Pratidhwani, Sangali, Maharashtra alleging facilitation of illegal Mataka gaming by him through his newspaper.

The complainant submitted that the Mataka is an illegal form of gambling, which is quite popular in parts of Maharashtra. Any sort of activities playing and aiding Mataka is banned in Maharashtra. Knowing this fact, the respondent editor indulges in the act of aiding and facilitating gaming by publishing Mumbai- Kalyan Mataka gaming charts in their daily and special editions. The result of the previous day's charts are published and numbers for the next day are also shown so as to help common man to guess the winning numbers and bet for it. These numbers and charts facilitating mataka gaming were being published for a long time but administrations had not taken any action against them. The complainant submitted that the Council had also previously issued directions for not publishing such numbers and the respondent paper is very well aware of this fact. He further submitted that a large number of people specially youths are attracted towards this illegal form of mataka gaming who fall prey to this illegal gaming and bet on mataka numbers thereby leading to destruction of families.

The complainant visited the respondent and asked him not to publish such article but the respondent threatened and ousted him. Also, he drew the attention of the editor vide letter dated 10.4.2019 in this regard but received no response.

The complainant has requested the Council to ban the newspaper and cancel the license issued to the respondent editor.

A Show Cause Notice was issued to the respondent editor, Pratidhwani vide Council letter dated 22.6.2019.

Written Statement

Shri Rahul Joshi, Advocate for the respondent editor vide Written Statement dated 22.7.2019 submitted that the respondent has no concern with the aiding of the Mataka in his newspaper. The respondent submitted that the numbers and charts which have been published in the special edition of the newspaper are in effect

“shubhank (lucky number)” for the benefit and use of the readers of the newspaper and is part of professional technique adopted by him. The similar policy has been adopted by the other newspapers namely (a) Dainik Kesari & (b) Dainik Lalkaar. The respondent further denied that the complainant ever visited office of the respondent or issued any Notice to them.

A copy of Written Statement was forwarded to the complainant on 26.7.2019 of information/Counter Comments, if any.

Counter Comments

The complainant vide Counter Comments dated 8.9.2019 has submitted that it is crystal clear that the respondents have admitted the publication of charts and numbers by them, however they have denied the facilitation and aiding makta by pretending that these numbers are “Shubhank/lucky numbers”. The complainant submitted that the numbers and charts published by the respondents are nothing but tip off gamblers and thereby aid them to bet for next day and hence by publishing those numbers, respondents are aiding and facilitating illegal Mataka gambling which is totally banned by the State of Maharashtra. The complainant further submitted that the numbers published in the charts are the same as to that of Mataka charts therefore, on this count this chart could never be called as lucky numbers. While pointing out the decision of Hon’ble High Court of Mumbai, the complainant stated that these charts are not Shubank, Lucky numbers or any sort of numbers for the entertainment and it fell under Section 12a of Bombay Prevention of Gambling Act. He has further submitted that despite warning of Hon’ble Court and PCI, these respondents have disobeyed the Orders and published the Mataka gambling. He has requested the Council to cancel the registration of the newspaper.

A copy of Counter Comments was forwarded to the respondent Editor on 18.9.2019.

Further comments filed by the Respondent

The respondent Editor, Pratidhwani, Sangli, Maharashtra vide his rejoinder dated 4.11.2019 while reiterating his written statement has denied the contents of the counter comments filed by the complainant. According to the respondent, so far as the pendency of the proceedings before Hon’ble High Court is concerned, the same are not relevant to the proceedings pending before this forum. The respondent has further stated that lots of incorrect statements have been made in the complaint, clarification of which would require personal hearing of the parties. He has requested the Council to place the matter for personal hearing of the parties.

A copy of the further comments was forwarded to the complainant on 11.11.2019.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. Serab A. Mushnk, Advocate, Sh. Mohammad Sakib Shabbir Pathan, the complainant appeared in person and Sh. Sukumar N. Patil, Editor appeared for the respondent paper.

The Editor (Sh. Sukumar N. Patil) of the respondent newspaper appears and undertakes that from tomorrow he will not publish the numbers in his newspaper. He also states that an undertaking to that effect shall be filed during the course of the day.

In view of the aforesaid undertaking, the Inquiry Committee is not inclined to proceed in the matter any further. However, the Inquiry Committee directs that the copy of the undertaking given by the respondent be forwarded to the Superintendent of Police, Sangli from where the newspaper is published to ensure that the respondent editor carries out the undertaking given before the Inquiry Committee. In case of violation, the Superintendent of Police, Sangli shall report the same to the Council.

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 Committee and decides to dispose of the complaint in wake of undertaking given by the respondent paper.

Press Council of India

S.No. 9

F.No. 14/429/18-19 PCI

Complainant

Dr. Krishna Lal Sethi
Manav Sewa Hospital & Sethi Child
Care Hospital
Malout,
District Sri Muktsar Sahib
Punjab

Respondent

The Editor In Chief
Saptahik Sukhratnama Newspaper
Malout
District Sri Muktsar Sahib
Punjab

Adjudication dated 21.09.2020

This undated complaint has been filed by Dr Krishna Lal Sethi, Owner and medical practitioner at Manav Sewa Hospital & Sethi Child Care Hospital, Malout, District Sri Muktsar Sahib, Punjab against the Editor-In-Chief of Saptahik Sukhratnama Newspaper, Malout, District Sri Muktsar Sahib for allegedly publishing defamatory articles and circulating the alleged defamatory articles of the said newspaper on other public platforms such as Whatsapp and Facebook and thereby harming his reputation in the eyes of public.

The complainant submitted that the respondent weekly newspaper has published factually incorrect and misleading news against him in its issues dated 31.10.2018 captioned "**Doctor Baneya Kasai!**" (Doctor becomes butcher). The news item reports (translation as provided by the complainant) *that doctors who are often considered as God is not always a truth. Dr Sethi owner of Sethi Child Care hospital has charged a minor's father unnecessarily. The minor patient's father Mr Bittu was asked to deposit Rs 5000/- initially by the hospital on admission of his new born baby and after keeping the baby for 5 days in the hospital, it issued a bill amounting to Rs 12,000/- for which no proper bill was provided to the patient's father. Mr Bittu, the aggrieved father, has recorded the conversation between Dr Sethi, the owner of Sethi hospital with another man, an employee from a different hospital namely Dr Kamra Hospital, agreeing to settle on a commission. Apparently this person from Dr Kamra hospital referred Mr Bittu to Dr Sethi's child care hospital. This news item was followed by another story captioned "**Doctor Apne Karnameya Nu Chupan Laye Ho Reha Hai Khafa, Doctor Di Audio Ho Rahi Hai Dhadelle Nall Viral**" in its issue dated 2.11.2018. The second news item states that a few days back audio clip of a paediatrician Dr Sethi went viral on social media, in which employee from another hospital is asking for commission from him and the doctor is even agreeing to pay commission to him. When this news came into light after the audio clip got viral then in order to hide his omissions, he used to post his defense himself on the social media and then he used to get it posted by an employee. But bad deeds done by doctor cannot be hidden even if he tries to hide. All of his actions would soon come into light. After the audio clip got viral the doctor got upset and verbally abused the media which proves that he is involved in this evil act.*

The complainant submitted that the news items are highly objectionable and defamatory. He submits that on 29.10.2018 he received a telephonic call from the respondent who said that a special supplement to the said newspaper will be

published on the eve of Diwali festival and he sought an advertisement from the complainant for an amount of Rs 2000/-, not agreeing to pay the asked amount, the respondent disconnected the call and a day later the first defamatory news item against the complainant was published. Again another call was received on 31.10.2018 on which the respondent threatened him of making an objectionable audio clip viral. The complainant submitted that the respondent has committed act of extortion and blackmailing him by misusing the newspaper to carry out his malicious intent.

The complainant further submitted that a legal notice dated 15.11.2018 was sent to the respondent newspaper seeking for an unconditional apology in writing to the complainant and for publishing the correct facts in the regional newspaper and to stop any further circulation of defamatory articles against him. To which vide letter dated 17.12.2018 the respondent denied all the allegations levelled against it in the legal notice and refused to comply by the conditions laid in the legal notice issued to the respondent. It has further stated that the news item was published in public interest and it emanates from the facts in the audio clip which was already in social media.

Reply Filed by the Respondents

A Show Cause Notice dated 15.01.2019 has been issued to the respondent. In reply, a written statement dated 1.02.2019 has been filed by the respondent. The respondent while denying the allegation submitted that the complaint is without any basis, unfounded and does not have any merit for consideration. He submitted that the stories covered by Sukhratnama newspaper are always in public interest and it contains analysis of every story containing all local news and issues of the city. The present story, that is in question, has been published only in public platforms such like whatsapp and facebook and not published in print newspaper. And even the respondent had tried to reach out to the complainant over the phone to record his version but failed as the complainant ignored his call. The print newspaper does not contain the news. The respondent further submits that the story is correct and the newspaper did not violate any journalistic ethics. With this submission, the respondents have requested the Council to dispose of the complaint.

Counter Comments

In response to the reply filed by the respondent the complainant vide letter dated 5.3.2019 reiterates and reconfirms the statements, submissions, averments and contentions made in the initial complaint and denies each and every statements of the respondent. The complainant has stated that the respondent newspaper choose to publish the derogatory articles even on the social media by the name of the said newspaper i.e. Weekly Sukhratnama thus they cannot shrug off the burden of the consequences attached to the actions of the respondents. The complainant also submitted that the respondent had used derogatory words against him in the news items. He further submitted that the respondent editor operates through a Facebook page titled *Sukhratnama Malout* and publish news item without any scrutiny. He also invites advertisements for the said newspaper on special occasions at exorbitant prices and in case any person declines to give advertisements at his set prices, the respondent editor seeks vengeance by maligning their reputation by publishing articles on the facebook page under the name of the given newspaper. The name of the newspaper is used for extorting money and blackmailing people. Thus the usage

of the name of an RNI registered newspaper over social media brings the present complaint and respondent editor within the parameters and jurisdiction of the Press Council of India. The complainant, therefore, has pleaded the Council to take stringent action against the respondent newspaper.

Further Reply from Respondent

The respondent vide his reply dated 17.1.2020 informed that the complainant has taken back his complaint. He has produced a copy of the complainant's letter wherein the complainant has stated that the matter has been settled and he does not want to pursue this case further.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. There was no appearance on both sides.

Despite service of notice, the complainant has not chosen to appear. Reply has been filed on behalf of the respondent. 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 Committee and decides to dispose of the complaint.

Press Council of India

S.No. 10

F.No.14/313/19-20-PCI.

Complainant

Shri Mahesh Kumar Duddi,
Jhunjhunu,
Rajasthan.

Respondent

The Editor,
Dainik Amber,
Jhunjhunu, Rajasthan

Adjudication dated 21.09.2020

Facts

This complaint dated 21.8.2019 has been filed by Shri Mahesh Kumar Duddi, Jhunjhunu, Rajasthan against the Editor, Dainik Amber, Jhunjhunu for allegedly indulging in yellow journalism.

According to the complainant, despite the non-recognition of the newspaper from District Public Relation Office/DAVP, the respondent has been getting government advertisements with the connivance of government officials and thereby embezzling government fund. The complainant has further submitted that the respondent published a news item in its issue dated January 24/25, 2019 under the caption “जी.बी .मोदी स्कूल संगीत शिक्षक के खिलाफ छेडछाड का मामला हुआ दर्ज” wherein the respondent exposed the name of the victim father and accused, which is violation of POCSO Act. The complainant has informed that the respondent viral the digital copy of the newspaper on social media and thereby intimidates and threatens the people and extort money. The complainant has further informed that neither the respondent newspaper has Circulation Certificate of Audit Bureau of Circulation nor they submit Annual Return in RNI. The publication of this newspaper was also closed down w.e.f. 30.6.2016 to 30.6.2018. The complainant has stated that the respondent extort money for publishing or not publishing the news.

The complainant vide his letter dated 26.9.2019 has submitted that the respondent newspaper in its issue dated 25.6.2019 published a totally false and fictitious news item against a School under the caption “झुंझुनू एकेडमी स्कूल विजडम सिटी में मासूम छात्रों के साथ यौन दुराचार”. The complainant has informed that a high level committee of District Magistrate, Jhunujhunu inquired into the matter and gave clean chit to the school.

The complainant drew the attention of the respondent on 28.6.2019 but to no avail. He has requested the Council to take necessary action against the respondent.

No Reply

Show-cause notice was issued to the respondent-Editor, Dainik Amber, Jhunjhunu on 21.10.2019 but no response has been received so far.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 21.01.2020 at New Delhi. The complainant Shri Mahesh Kumar and Shri Shyam Sunder appeared in person. Shri Indraj Singh who marked his attendance to represent the

respondent paper didn't appear before the Inquiry Committee when the matter was called.

The complainant is aggrieved by the publication of news about their school of which he is the warden. It is the allegation of the complainant that what has been published is untrue and further in violation of the provision of the POSCO Act. The respondent has not filed any reply. In the attendance register, although a gentleman called Indraj Singh has signed but when the matter was taken up nobody has turned up on behalf of the respondent during the meeting of the Inquiry Committee.

The Inquiry Committee has heard the complainant, Shri Mahesh Kumar Dudi and perused the record. In the absence of any reply by the respondent, the Inquiry Committee is inclined to accept the allegations made by the complainant that what has been published in the newspaper is untrue and in violation of the provisions of the POSCO Act.

The Inquiry Committee accordingly recommends for **Censure** of the newspaper.

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 **Censure** the respondent paper. Copies of the order be forwarded to DIPR, Rajasthan and DG, DAVP for necessary action.

Press Council of India

S. No.11

F.No.14/491/18-19-PCI.

Complainant

Shri V.Sagar,
Secretary, The Institute of Chartered
Accountants of India,
ICAI Bhawan, Indraprastha Marg,
Post Box No. 7100,
Delhi-110002

Respondent

The Editor,
The Pioneer,
CMYK Printech Ltd.
F-31, Sector-6, Noida
Uttar Pradesh-201 301

Adjudication dated 21.09.2020

This complaint dated 28.12.2018 has been filed by Shri V.Sagar, Secretary against the Editor, The Pioneer for publication of defamatory news item in its issue dated 26.10.2018 under the caption “**improving India’s Tax Compliance**”.

The impugned news item while referring to the data on direct tax collections and administration released by the Central Board of Direct Taxes (CBDT), refers that out of an estimated 8.6 lakh doctors, only 4.2 lakh or less than half paid income tax. From among 13 lakh lawyers, only about 2.6 lakh paid taxes. Out of 2.8 lakh Chartered Accountants, who advise companies and individuals on tax matters, only about one-third or one lakh paid taxes. The complainant has further stated that ICAI was not consulted for verification of facts before publishing the impugned news items. He has also stated that the impugned news item damaged the reputation of CAs in public by projecting that majority of them are tax evaders who at the same time advice people on tax matters. He had drawn the attention of the respondent Editor towards the impugned news item on 26.10.2018 pointing out that the impugned article was incorrect as data ignores 1.42 lakh Chartered Accountants, who are salaried persons and requested the paper to publish correct position however no response was received. The complainant has requested the Council to take necessary action.

A show cause notice dated April 05, 2019 followed by a time bound reminder dated June 22, 2019 was issued to the respondent editor.

Written Statement of the Editor, The Pioneer

The Editor, The Pioneer vide written statement dated July 04, 2019 stated that they had deleted the article “improving India’s Tax Compliance (October 26, 2018) from its official website and also published detailed clarification on its July 04, 2019 issue which is as follows:

“This refers to the article “Improving India’s Tax compliance” October 26, 2018 by a freelance contributor, Navneet Anand. The writer had erroneously quoted figures from a report published by a leading newspaper and had said: “Out of the 2.8 Lakh chartered accountants, who advise companies and individuals on tax matters, only about one-third or one lakh paid taxes.: The actual number, as stated by ICAI is “Out of a total of 2, 69,350 chartered accountants, 45,507 filed their returns, which is nearly 91 percent of the total number. Among these,

*approximately 8,000 Chartered Accountants are above the age of 70, who may or may not be filling returns, depending upon their income.
“The oversight is regretted”.*

A copy of the written statement was forwarded to the complainant on July 12, 2019 for information/counter comments.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. While there is no appearance on behalf of the complainant, Shri R.S.Rana, Advocate and Shri O.P.Gupta, Manager-H.R. appeared for the respondent paper.

The respondent published a news item saying that out of 2.8 lakh Chartered Accountants who advise companies and individuals on tax matters only about one-third or one lakh pay taxes. The source of this news is purportedly the data released by the Central Board of Direct Taxes. The complainant who is the Secretary of the Institute of Chartered Accountant of India states that this is false assertion by the newspaper. The respondent admits the mistake and its contention is that it has published the clarification and the regret. The Inquiry Committee has bestowed its consideration to the plea of the respondent and finds that to be a camouflage. The alleged clarification has been published as a letter to the Editor with the addition that the ‘oversight is regretted’. The Inquiry Committee is of the opinion that the clarification ought to have been published as a news item with the same prominence as that of the original news.

In the facts of the present case, the Inquiry Committee directs the respondent newspaper to publish the clarification with expression of regret as a news item within four weeks from today. The Inquiry Committee further directs the respondent to send a copy of the clarification immediately after it is published. The Inquiry Committee further observes the respondent newspaper while dealing with such matters in future to be more careful.

The Inquiry Committee recommends for disposal of the complaint with the aforesaid direction.

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. 12-13

F.No.14/263-264/19-20-PCI.

Complainant

Shri Deepinder Singh,
Advocate,
Hoshiarpur,
Punjab.

Respondent

The Editor,
Dainik Jagran,
Hoshiarpur, Punjab.

The Editor,
Dainik Bhaskar,
Hoshiarpur, Punjab.

Adjudication dated 21.09.2020

This complaint dated 3.8.2019 has been filed by Shri Deepinder Singh, Advocate, Hoshiarpur, Punjab against the Editors (i) Dainik Jagran and (ii) Dainik Bhaskar for allegedly publishing false, fabricated and defamatory news items under the captions “पर्चा दर्ज कराने के लिए घंटाघर चौक पर दिया धरना” (Dainik Jagran) and “दलित लीडर को जातिसूचक शब्द कहने वाले वकीलों के खिलाफ प्रदर्शन और चक्का जाम” (Dainik Bhaskar) in their issues dated 30.7.2019.

It has been reported in the impugned news items that people of the Dalit community staged a protest at the clock-tower against two lawyer brothers for using casteist words against a Dalit leader. It is further reported that the leader of Valmiki community, Shri Anil Hans said that few days ago an argument occurred between him and Shri Satbir Singh and Shri Deepinder Singh and they used casteist words against him. In this regard, a written complaint was given to the police but no action was taken. Now the Sr. Superintendent of Police has assured that a S.I.T. has been formed which would submit the report within a week. It is also reported that Shri Satbir Singh and Shri Deepinder Singh said that the allegation is baseless.

Denying the allegation levelled in the impugned news items, the complainant has stated that he is fighting against corruption and initiated several proceedings against one person namely, Shri Tikshan Sud, Ex-MLA from Hoshiarpur. The complainant has further stated that the Office Incharge/Journalist of Dainik Bhaskar, Shri Parminder Bariana took money from Shri Tikshan Sud and published fake and paid news in Dainik Bhaskar without taking any reaction from him. The complainant has also stated that being a clever person, Shri Bariana wrote one sentence at the end of the impugned news item that he said the allegation is baseless showing that he took the reaction. But as a matter of fact, no reaction of the incident has been taken from him and on the basis of payment received from Shri Tikshan Sud, Shri Bariana published the impugned news item.

The complainant has further stated that Office Incharge/Journalist of Dainik Jagran, Shri Hazari Lal also took money from Shri Tikshan Sud and published the impugned news item. Shri Hazari Lal did not publish his original response and changed his whole version of the response and simply published the response to save himself from legal proceedings.

The complainant has alleged that the impugned news items are totally one-sided and allegedly sensationalised the protest and the persons who protested are the paid agents of Shri Tikshan Sud and no permission was taken from the administration to hold this protest but the respondents were willing to highlight this issue so that one false FIR may get registered against him. The complainant has informed that the SIT formed by the Sr. Superintendent of Police in connection with the complaints against Shri Tikshan Sud and others and one complaint of Shri Anil Hans and others is simply given against him. The complainant has stated that the respondents did not check the complaints filed by him and Shri Anil Hans and published the impugned news item with very casual approach.

The complainant also drew the attention of the respondents-Dainik Jagran Group and Dainik Bhaskar Group and the concerned journalists on 3.8.2019 towards the impugned news items but to no avail.

No Reply

Show-cause Notices were issued to the respondent-Editors, Dainik Jagran, Hoshiarpur and Dainik Bhaskar, Hoshiarpur on 24.9.2019. The Notice issued to the Dainik Jagran received back undelivered from the postal authorities with the remarks "No editor on this address". The Notice issued to the Dainik Bhaskar also received back undelivered from the postal authorities with the remarks "Refused".

The Show-cause Notice again issued to the respondents on 17.10.2019. The Notice issued to Dainik Jagran again received back undelivered from the postal authorities with the remarks "No such editor on Dainik Jagran office". The Notice issued to the Dainik Bhaskar also received back undelivered from the postal authorities with the remarks "Refused". Therefore, the District Magistrate, Hoshiarpur was requested vide Council's letter dated 11.11.2019 to serve these Notices through their serving agency under intimation to this Council. Reply of the District Magistrate is still awaited.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. The Inquiry Committee has heard the complainant represented by Shri Satbir Singh as also Mr. B.K.Mishra, Advocate for Dainik Jagran. From the perusal of impugned news itself it is evident that it is based on a report given by an individual.

In that view of the matter, the Inquiry Committee is of the opinion that the respondent newspapers have not violated any Norms of Journalistic Conduct. Accordingly, the Inquiry Committee 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 dispose of the complaint.

Press Council of India

S.No. 14-15

F.No.14/331-332/19-20-PCI.

Complainant

Smt. Reva Chhaharia,
Former City Councillor,
Ram Nagar,
Sangrur (Punjab)

Respondent

The Editor,
Punjab Kesari,
Jalandhar, Punjab.

The Editor,
Jagbani,
Jalandhar, Punjab.

Adjudication dated 21.09.2020

This complaint dated 13.9.2019 has been filed by Smt. Reva Chhaharia, former City Councillor, Ram Nagar, Sunam, Punjab against the Editors, Punjab Kesari and Jagbani for allegedly editing her photograph in their issues dated 17.8.2019.

According to the complainant, the local Agrawal Community organized Independence Day celebration on 15.8.2019 at Agrasen Chowk and a group photo was taken on the occasion. The complainant has further submitted that the said photograph was published by several newspapers in Punjab but the respondent newspapers printed the photo by removing her face and chest from the photograph with the help of computer and only printed her one hand, stomach and feet in the same way as it was. She has alleged that this is an insult of the women.

The complainant has submitted that she sent a message to the respondents and also drew their attention on 11.10.2019 for taking action against the journalist concerned. She has requested the Council to take necessary action in the matter.

Show-cause notices were issued to the respondent newspapers viz. Punjab Kesari and Jagbani on 8.11.2019.

Written Statement of Punjab Kesari/Jagbani

Shri R.S. Jolly, Editor of Punjab Kesari and Jagbani (Punjab Kesari Group) vide his written statement dated 21.11.2019 has stated that the impugned photographs have been published in Sangrur-Barnala edition of Daily Punjab Kesari (Hindi) and Daily Jagbani (Punjabi) in ordinary and routine course without any ill-will, motive or malice towards anybody. The respondent has further stated that it seems that there is some dispute between the complainant and their concerned local press representative for which their newspapers have no role to play. However, on receipt of the complaint, they immediately initiated necessary steps to redress the complainant's grievance and had written her a letter dated 17.10.2019 intimating that concerned person has been pulled up for this lapse and assured her that in future she would not have any cause of complaint on this score. It has been further intimated to her that they have directed/instructed their Sunam based representative, Shri Arun Bansal to cover all programme of the complainant in a befitting manner for their newspapers in future. According to the respondent, all steps initiated by them to redress the grievance of the complainant prove their bonafide and thus the

complainant should not have any cause of complaint atleast against their newspapers and therefore he has requested the Council to dismiss the complaint. A copy of the written statement was forwarded to the complainant on 29.11.2019 for counter comments.

Counter Comments

The complainant vide her counter comments dated 12.12.2019 while referring written statement has stated that it is mentioned by the respondent that it is a routine course and the editor has not published her photographs deliberately. However, the fact is that whether this has been done deliberately or not but the photos do look disrespectful. She has further stated that the respondent newspapers published her half photograph and thereby spoiled her reputation as a woman and the concerned reporter is responsible for it. The complainant has further stated that no action has been taken against the concerned press reporters who are 100% responsible for this act of negligence. She has requested the Council to take necessary action against the local reporters.

A copy of the counter comments was forwarded to the respondents on 24.12.2019 for information/comments, if any.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. The complainant is present in person and Shri Madan Mohan Thapar, Section Head appeared for the respondent.

In view of gravity of the matter, the respondent has given an undertaking in its letter that they will terminate the appointment of Mr. Yashpal Mangla, Press Reporter. The complainant is satisfied with the proposed action.

Let it be done within one week and a copy of the said order be forwarded to the complainant as also to the Secretariat of the Council.

With the aforesaid directions, 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 Committee and decides to dispose of the complaint

Press Council of India

S. No. 16

File No.14/294/18-19-PCI

Complainant

Dr.Pabak Kanungo,
Secretary,
Jnanmandal Foundation,
1443(B), Sector-VI, CDA,
Cuttack-753014,
(Odisha state)

Respondent

The Editor,
The Biswas
Odia fortnightly,
Odisha

Adjudication dated 21.09.2020

This complaint dated 04.09.2018, has been filed by Dr. Pabak Kanungo, Secretary, Jnanmandal Foundation, Cuttack (Odisha) against the Editor, The Biswas, Odia fortnightly, Cuttack alleging publication of defamatory, libellous and baseless news item in its issue dated June 16-30, 2018 under the caption “**Dipak Kanungo’s Satyagrah - dispute engulfs Jnanmandal**”.

As per the English translation provided by the complainant, it has been reported in the impugned news item that “the Department of Culture has sanctioned Rs. 67 Lakhs for a revised edition of Jnanmandal (Odia encyclopaedia) out of this Rs. 27 Lakhs has been drawn and spent without the knowledge of Dipak Babu and Alok Babu (both son of Binode Kanungo). Shri Dipak Kanungo started the Satyagrah on the birth anniversary of Shri Binode Kanungo. The elder son of Shri Binode Kanungo, Dr. Pabak Kanungo visited the Jnanmandal Foundation located at Nilakantha nagar and paid his respect to Binode Babu. Apprehending breach of peace, the Kharavela nagar police were deployed in front of Archives”. It is further reported in the impugned news item that the “dispute centering Jnanmandal is getting acute day by day. It is the duty of all to ensure that the dispute among brothers does not affect the publication of Jnanmandal. It is also reported in the impugned news item that there are now two Foundations. However, the Inspector General of Registration has temporarily freezed the registration number of the Foundation”.

While denying the allegation levelled in the impugned news item, the complainant has alleged that the Respondent-Editor published a baseless, defamatory and tendentious news item which maligns his reputation along with the Jnanmandal Foundation, a registered society. He has further stated that the news item published without ascertaining his viewpoints. He has also stated that the news item is completely one sided and is full of baseless facts. The complainant has also submitted that the respondent newspaper has been consistently writing objectionable news item since last so many issues, which shows the intention of the respondent.

The complainant vide his letter dated 5.7.2018 has drawn the attention of the Respondent towards the impugned news item dated June 16-30, 2018 but received no reply.

Show-Cause notice was issued to the Respondent-Editor, The Biswas, Odisha on 20.09.2018

Written Statement

Ms. Kasturi Roy, Editor, The Biswas vide her written statement dated 12.10.2018 while denying the allegations made by the complainant has stated that the impugned news items were factual, thoroughly investigated and published in public interest. She has requested the Council to approach the Government of Odisha to verify about the complainant who happens to be a habitual complainant and letter writer. She has further requested the Council to also collect the data from the Government of Odisha regarding the actual whereabouts of the complainant and allegations against him which other media outlet has exposed. The respondent has also produced a copy of the unsigned letter of Shri Chittaranjan Sahoo of Jnanmandal Foundation wherein it has been stated that the complainant has nothing to do with the affairs of the Jnanmandal Foundation at present because of his prolonged absence. She has requested the Council to initiate proper action against the complainant for misleading the Council.

Counter Comments

The complainant vide his counter comments dated 8.11.2018 while reiterating his complaint has stated that the claim of the respondent that the impugned news items were thoroughly investigated is completely hollow. The complainant has alleged that the successive publications of news items have been aimed to malign him. According to the complainant, the impugned news item reported that there are two Jnanmandal Foundations, one is headed by Dr. Arabinda Patnaik and the Secretary of the other is Dr. Pabak Kanungo. The complainant has clarified that under Societies Registration Act there cannot be two institutions in the same name. Before publishing the news item, the respondent should be in possession of a copy of the Registration Certificate indicating the names of the members. Regarding allegation of withdrawal of Rs.27 lakhs without his and Shri Alok Kanungo's knowledge, the complainant has stated that the Jnanmandal Foundation is a Registered Society and the UCO Bank, CRP Headquarters Branch, Bhubaneswar followed all banking norms during the transaction. With regard to the allegation levelled in the impugned news item that a member has received the grant from the Department of Culture, the complainant has stated that this is travesty of truth. The grant was sanctioned in favour of Jnanmandal Foundation and being Secretary, he received the cheque, therefore, the claims of anyone to misuse, is farfetched.

Further reply of the complainant

The complainant vide further reply dated 16.1.2020 has submitted that the respondent newspaper has failed to submit/produce any letter from the Department of Culture to prove that a member has drawn Rs. 27 lakh from the Department of Culture by supplying the old edition of the Odia Encyclopaedia. This cast aspersion on the integrity of the legendary Odia Scholar Mr. Binode Kanungo, who was the author of the Odia encyclopaedia. He has further submitted that no grant from any source has been received by him. The foundation as a registered body has received the grant. So by harping on an individual, the paper has done incalculable damage to his reputation and integrity. The complainant further submitted that by letter dated

8th Nov, 2018 addressed to Press Council, he had asked the newspaper to submit proper documents on six points, but the newspaper seems to have failed to respond on that. He has requested the Council to take all these factors into consideration and take suitable action as per law.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. There is no appearance on behalf of the respondent editor, The Biswas.

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 Committee and decides to dispose of the complaint.

Press Council of India

S.No. 17-20

Complainant

Dr.Ajit Singh Grewal
H.No. AD-05
Haryana Police Complex
Madhuban
Karnal, Haryana

File.No.14/62-64,219/19-20-PCI

Respondent

The Editor,
Dainik Bhaskar,
Sector-29, Part-II
Plot no. 42-43 Industrial Area
Huda Panipat.

The Editor,
The Tribune
Chandigarh, Sector 29-C
Chandigarh-160030

The Editor
Amar Ujala
SCO No. 395,
Mugal Canal,
Karnal, Haryana.

The Editor
Dainik Jagran
Sector-29, Part-II,
Plot No. 10,
Huda Panipat.

Adjudication dated 21.09.2020

This complaint dated 9.4.2019 has been filed by Dr. Ajit Singh Grewal, Karnal, Haryana against the Editors, (i) Dainik Bhaskar (ii), Dainik Jagran (iii) The Tribune and (iv) Amar Ujala for allegedly publishing defamatory and objectionable news items. The captions and dates of the impugned news items read as follows:-

S.No.	Name of the Newspaper	Date of publication	Caption
1.	Dainik Jagran	30.10.2018	एफएसएल निदेशक के फर्जी हस्ताक्षर कर झूठी बदलवाई, सहायक निदेशक फंसे
2.	Dainik Bhaskar	30.10.2018	डायरेक्टर के फर्जी साइन करने के आरोप में एफएसएल के सहायक निदेशक काबू
3.	Dainik Bhaskar	31.10.2018	डायरेक्टर के फर्जी साइन करने वाला सहायक निदेशक एक दिन के रिमांड पर
4.	The Tribune	30.10.2018	Forensic lab's ballistics expert held for forging signature of ADGP
5.	Amar Ujala	30.10.2018	तबादला पत्र पर फर्जी हस्ताक्षर मामले में एफएसएल के सहायक निदेशक गिरफ्तार
6.	Amar Ujala	31.10.2018	एफएसएल के सहायक निदेशक एक दिन के पुलिस रिमांड पर

It is reported in the impugned news items that an Additional Director in the Haryana Police's Forensic Science Laboratory (FSL) at Madhuban in Karnal was arrested for allegedly forging the signature of the Director, an Additional Director General of Police (ADGP), in a letter to the Home Secretary to benefit another officer. It is further reported in the impugned news item that on an FIR under Sections 420, 467, 468 and 471 of the IPC (Cheating, forgery and fraudulently using a forged document as required) lodged by the ADGP, Shri Shrikant Jadhav, who is a Director of the FSL and heads the South Range of the Police at Rewari, Karnal Police arrested Assistant Director (Ballistics), Shri Ajit Grewal, Karnal and S.P. Shri Surinder Singh Bhoria confirmed the arrest. An SIT was constituted under DSP, Shri Virender Saini, who arrested the accused. According to the sources, facing shortage of offices in the FSL, Shri Jadhav had written a few letters to the Director General of Police requesting him to authorise some senior scientific assistants with requisite qualification and experience to sign as expert on reports of the cases coming to the laboratory. Sources further said that the DGP clubbed Shri Jadhav's letters and sent these to the Home Secretary on August 22 for approval, which was eventually received. In September, Shri Jadhav received a communication from the Home Secretary, which said that Ms. Saroj Bala, an SSA in the scene of crime Division, is authorised as an expert in the Ballistic Division of the FSL, as per his recommendations. A shocked and surprised Shri Jadhav checked the office files and found that he had never written the letter mentioned in the Home Secretary's communication. It has been further reported that during the inquiry, it came out that Shri Grewal had allegedly prepared that letter on behalf of Shri Jadhav and had told his office in Madhuban that he would get it signed from Shri Jadhav. It has been also reported that the sources said though Ms. Saroj Bala was recruited as an SSA in the SOC Division, Shri Grewal had been keeping her in the Ballistic Division headed by him for long till Shri Jadhav sent her to her parent division. To accommodate her to his own Ballistic Division again after her authorisation as expert, Shri Grewal allegedly forged Shri Jadhav's signature, as per the FIR.

Denying the allegations the complainant submitted that the impugned news items were published for causing immense damage to his character and his personality. According to the complainant, he is law abiding citizen falling a victim into the trap laid up by a public law remedy authorities under the administrative cum financial control of one Shri Shrikant Jadhav, IPS, ADGP South Range, Rewari with additional charge of Director, FSL Madhuban Karnal aided by his clout forgetting his locus unmindful of the illegalities and the eventual fallout purportedly with an oblique motive tended to deal a fatal blow to the constitutional cum fundamental cum legal cum statutory rights of the complainant, who is now subjected to various kinds of trials and tribulations ranging from the police brutalities to unwarranted litigation According to the complainant, the respondent lowered down his image by publishing the impugned news items, while the matter on hand is now the focus of judicial attention on the file of the concerned courts of law vide CRM-M No.62188 of 2018 on the file of Hon'ble Punjab & Haryana High Court at Chandigarh.

The complainant has issued undated legal notices to the respondents for publishing unconditional apology. He has requested the Council to take necessary action in the matter.

Show-cause notices were issued to the Editors on 18.07.2019. Show-cause notice issued to the Editor, Amar Ujala received back undelivered from the postal

authorities with the remarks “बिना पता बताये घर छोड़ गये”. Therefore, Show cause was again issued to the Editor, Amar Ujala on 18.09.2019 on another address as provided by the complainant.

Written Statement of The Tribune

The Editor, The Tribune vide written statement dated 8.8.2019 has submitted that news report is based on the complainant’s arrest and nothing but a statement of uncontroverted facts about the arrest. He has further submitted that the complainant is an accused of cheating and forgery case and an FIR in the matter No. 371 dated 27.10.2018 under Sections 120B, 420, 467, 468 and 471 of the IPC was registered against him. The news report published in the Tribune had merely reported his arrest in the matter, which is not an expression of opinion but purely a statement of uncontroverted expression of opinion but purely a statement of uncontroverted facts. He has further stated that the same news has been published by at least three other newspapers. He has requested the Council to dismiss the matter.

Written Statement of Dainik Jagran

The Editor, Dainik Jagran vide his written statement dated 26.8.2019 has submitted that the allegations levelled by the Complainant under reply are specifically and singularly denied as being vague, misconceived and incorrect. The respondent further submitted that the news in question is based on correct facts as emerged from the information received from the local reporter and also the contents of FIR and arrest report forwarded by the Director, FSL, Haryana, Madhuban. He has requested the Council to dismiss the complaint.

Counter Comments of Complainant on The Tribune’s Written Statement

The complainant vide his counter comments dated 2.9.2019 while reiterating his complaint has submitted that the impugned publication of the damaging story is motivated exercise without any semblance of source of information whereas the concerned SHO informed to the Director, FSL Madhuban – cum-complainant of the present FIR No. 371/2018 PS Madhuban on 30.10.2018 while further the complainant informed the DGP on 31.10.2018 vide letter No. 13198 regarding the arrest of the victim and the shocking and contradictory aspect as to how and from which source the editor gathered the information of the arrest. The complainant stated that the respondent should also publish his version.

Counter Comments of Complainant on Dainik Jagran’s Written Statement

The complainant vide his counter comments dated 12.9.2019 while reiterating his complaint has stated that the impugned publication of the damaging story is motivated exercise without any semblance of source of information. He has further stated that the story of arrest being published in mysterious circumstances ahead of any subsequent source of information. He has also stated that the respondent should also publish his version as the respondent has not done pre-publication verification.

No response has been received from the respondents, Dainik Bhaskar and Amar Ujala.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 21.01.2020 at New Delhi. The complainant appeared in person alongwith his advocate Shri Sanjiv Kumar whereas Shri Harpreet S. Bhati, DGM-HR, Shri Satya Prakash, Legal Editor, Shri Kapil Yadav, Legal Officer, Shri B.K Mishra, Advocate, Shri P.R. Rajhans, Shri Neeraj Kapoor appeared for respondents.

The complainant's assertion is that allegation made against him in the respondent newspapers is false and untrue and in this connection he has filed a case before the High Court, which is pending for consideration. The respondent's plea is that the impugned news had been published on the basis of the allegations made in the First Information Report. This is not disputed.

In such circumstances, Inquiry Committee is of the opinion that the respondent newspapers have not violated any norms of journalistic conduct. 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. 21

F.No. 14/89/19-20-PCI

Complainant

Shri Brijender Sharan Srivastav Gandhi,
Chairman,
Peoples Action Justice for All Foundation,
District-Raibareilly, U.P.

Respondent

Shri Gaurav Awasthi,
Bureau Chief,
Dainik Hindustan,
Raibareilly, U.P.

The Editor,
Hindustan,
Raibareilly, U.P.

The Editor,
Hindustan,
Kasturba Gandhi Marg,
New Delhi

Adjudication dated 21.09.2020

This complaint dated 28.4.2019 has been filed by Shri Brijender Sharan Gandhi, Chairman, People Justice for All Foundation & others, Raibareilly against Shri Gaurav Awasthi, Bureau Chief, Hindustan, Raibareilly accusing him for indulging in corrupt activities and extorting money in the garb of journalism.

The complainant submitted that Shri Gaurav Awasthi alias Ashish Awasthi, Bureau Chief, Dainik Hindustan, Raibareilly has organised gangs in different areas and has direct contact with various mafias and his photographs can be seen with them in many programs. He has contacts with criminals of the area and he protects and encourages their criminal acts, put pressure on the officers by using power of newspaper and in return he charges money from them. In this regard, an FIR of extorting money for Rs. 50 lakh is registered against him in Raibareilly Police Station. Shri Awasthi has made properties in crores by means of looting and indulging in corruption.

The complainant while quoting various misdemeanours of the said journalist requested the Council to take action against him.

Notice for comments was issued to the respondent Bureau Chief on 20.5.2019. Simultaneously, a copy of Complaint was forwarded to Govt. of U.P. for necessary action under intimation of the Council.

Further communication from Complainant

The complainant vide letter dated 1.8.2019 while reiterating the allegation submitted that once Shri Awasthi was transferred to Sitapur due to his involvement in corruption and was replaced by Shri Anurag Thakur but he was again posted in Raibareilly due to his contacts.

Communication from Govt. of U.P.

Giving reference to Council's letter dated 20.5.2019, Shri Shishir, Information Director, Information & Public Relations Department, Government of U.P., Lucknow has addressed a letter dated 1.7.2019 to the District Magistrate, Raibareilly for submitting the report in the matter. A copy of the same has been endorsed to PCI.

Written statement

In response to the Notice, the respondent-Editor, Hindustan (Hindustan Media Ventures Ltd.) vide written statement dated 13.8.2019 while denying the allegation submitted that the complaint is baseless and unsubstantial. He stated that an investigation was conducted against Shri Awasthi on 20.6.2019 and all the allegations against him were to be unsubstantiated, in fact the allegations are made due to personal grudges. The respondent has further stated that the complainant is habitual in filing complaints against senior officers in Government and most of the complaints have been held to be unsubstantial and have been terminated after investigation. With regard to extortion of money of Rs.50 Lacs, the complainant's family had filed a complaint of harassment and cruelty against in-laws of the Shri Awasthi's niece due to unsuccessful marriage life of the Shri Awasthi's niece, so the in-laws filed the complaint against Shri Awasthi as well as his family. However, after the police investigation, these accusations were held to be baseless. He stated that Shri Awasthi has been working with the respondent newspaper undisputedly since 1996 honestly and with loyalty. Thus, all the complaints made against Shri Awasthi are unsubstantial and groundless. He has requested to dismiss the complaint in the interest of justice.

Reply from Shri Swaplin Mamgai, Superintendent of Police, Raibareilly

Shri Swaplin Mamgai, Superintendent of Police, Raibareilly vide letter dated 3.9.2019 submitted that as per Investigation Report submitted by Shri Shashi Shekher Singh, Additional Superintendent of Police, Raibareilly, the allegations in the complaint are to be investigated by constituting a team of Income Tax Deptt., Education Deptt. and Information Officer and Revenue officers at District Magistrate level. If the crime is found to be committed by him then the action will be taken legally after registering the case.

Counter comments

The complainant vide letter dated 11-11-2019 while denying the written statement filed by the respondent-Hindustan has stated that the respondent filed misleading written statement without any evidence with a view to save Shri Awasthi, Bureau Chief. The complainant has stated that being President of Peoples Action Justice for All Foundation, he conducts protest against the government departments and annoyed with this the government officers often file false complaints to pressurise him. While reiterating his allegation against Shri Awasthi of blackmailing and indulging in yellow journalism he has requested the Council to take necessary action against the respondent.

A copy of the counter comments was forwarded to the respondent editor on 28.11.2019 for information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 21.01.2020 at New Delhi. The complainant appeared in person along with Shri Lakhan Singh and Shri Tej Pratap Singh, Advocates whereas Shri Alok, Shri Kundan Kumar Mishra, Advocates and Shri Divesh Kumar Gupta, Director, Information Centre, New Delhi represented the respondent side.

The Inquiry Committee has heard the complainant as also the counsel for the respondent, Shri Gaurav Awasthi and the Editor. The complainant has made serious allegations against the respondent Gaurav Awasthi. In the reply, the Editor has stated that the matter was enquired into and the allegation was found to be unsubstantiated.

In view of the aforesaid, 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. 22

F.No. 14/437/17-18-PCI

Complainant

Shri Vijay Goel
The Minister of State Statistics & Programme
Implementation,
Parliamentary Affairs,
Govt. of India.
Ashoka Road, New Delhi.

Respondent

The Editor
The Times of India
Times of India Building
New Delhi

Adjudication dated 21.09.2020

This complaint dated 4.1.2018, has been filed by Mr Vijay Goel, The Minister of State Statistics & Programme Implementation, Parliamentary Affairs, Govt. of India against publication of false and misleading news item by the Times of India, Delhi Edition, captioned “***Goel Sought Separate Runway Shuttle Bus***”.

The Complainant submits that a complete misleading, false and baseless report aiming to malign his reputation and demean him in public eye and Government in general, has been reported by the respondent newspaper under the caption “Goel Sought Separate Runway Shuttle Bus” in its issue dated 7.10.2017. The news item reports that P.M. Narendra Modi’s appeal to leaders to shun the VIP culture seems to have no effect on the MoS for Parliamentary Affairs Vijay Goel, who insisted for a personal coach to travel from the boarding gate to the aircraft at IGI Airport. Mr Goel, refused to share a coach with other passengers and waited at the boarding gate until the airlines met his demand. However, Mr Goel denied the incident and his statement as recorded - “*I don’t know what you are talking about. I travel like a common man with other passengers*”. On trying to get the version of the concerned airlines, the newspaper, could not reach, but the Civil Aviation Officers informed that such privileges are only applicable to the position of Minister of State for Civil Aviation, Govt. of India.

The complainant stated that he has forwarded his grievance/complaint to the Editor of the Times of India on 10.10.2017 asking for an unconditional apology and to publish a clarification on the same page where the said impugned news item was published. However, no apology or response has been received on the same. The complainant further submits that he is a public person and in his 40 years of career he had never made such frivolous demands to be treated as a VIP to travel in separate shuttle on the airport runway. Hence the news report maligns his reputation badly and also tarnishes his political and social career.

The complainant stated that after receiving his complaint, the Executive Editor and the Political Editor of the Times of India, visited his office on 23.10.2017 and admitted that the Airlines also confirmed that no such demands for providing separate shuttle was made by the complainant as reported by the Times of India’s news item, and thereby admitted their mistake and assured that a proper clarification will be published. However, a small news item was published by the Times of India on 31st October 2017, which was not only vague but did not clarify anything regarding the misreporting. Even the denial of the Airlines of such incident

that never happened, was not reported in the so called clarification and hence the true facts were not brought to the knowledge of the public. In the present scenario, the complainant has requested the Council to take necessary action as permitted by the rule.

Reply Filed by the Respondent

A Show Cause Notice dated 6.3.2018 was issued to the respondent newspaper. In its written statement dated 1.8.2018, the respondent newspaper denied the allegation of the complainant and stated that no journalistic ethics have been violated in the process of reporting the particular news item, as it was published in normal course about an incident at the airport and as it involved an elected Member of the Parliament. The people have the right to know about it and it is in public interest and in good faith that the news has been reported and is based on information received from reliable sources and believed to be true and correct. It has also been submitted that the article and the clarification was based on an internal airport document. Also it has been pointed that the Times of India did not make any comment on the subject instead has reported the incident by keeping its objectivity intact. Further, as the complainant has requested for an apology at a prominent place which is not always viable and the Times of India is not liable to follow such request. The paper therefore requests to drop the proceeding against it.

The matter was taken up by the Inquiry Committee on 14.2.2019. During the hearing, complainant stated that the material shown to the Council to justify the publication of the news is fabricated.

The Inquiry Committee directed the complainant to file an affidavit in this regard and accordingly adjourned the case.

Affidavit filed by Shri Vijay Goel

Shri Vijay Goel, complainant has filed an affidavit dated 11.3.2019 stating that the Times of India made a publication of a news item titled "Goel sought separate runway shuttle bus" in its newspaper dated 7.10.2017. The said news item is false baseless, misleading. The respondent Editor has produced a note before the Inquiry Committee which supposed to be internal airport document to substantiate its claim, but as per enquiry, no agency namely Central Industrial Security Force (CISF) Delhi Airport, Intelligence Bureau, Delhi Police, DIAL, GMR operating at the Airport maintain record/internal airport document enlisting movement and conduct of Ministers of Govt. of India. Therefore, the said note appears to be concocted.

Indigo Airlines has also issued an email to the office of the respondent Editor stating that nothing of this sort as mentioned in the news article happened that day, thereby proving that the internal note document to be false.

A copy of the Affidavit has been forwarded to the respondent newspaper on 20.3.2019.

Further development in the matter

The complaint filed by Mr. Vijay Goel, The Minister of State Statistics & Programme Implementation, Parliamentary Affairs, Govt. of India against The Times

of India was taken up by the Inquiry Committee on 24.9.2018 at New Delhi. The Inquiry Committee was of the opinion that there were basis for publication of the news and accordingly recommended for dismissal of the complaint.

Later, vide letter dated 24.10.2018 Mr. Goel submitted that he may be provided at least a copy of the said document which forms the basis of the news item. In the absence of the document, his right to present the case is being prejudiced. He has further submitted that on the same news story, The Times of India has already published clarification and the Times Now News Channel has already been indicted by NBSA for broadcasting this story.

The Hon'ble Chairman vide Order dated 2.11.2018 directed to post the matter for rehearing by the Inquiry Committee. A copy of the document which formed the basis of news was provided to the complainant vide Council's letter dated 22.1.2019.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. Mr. Ajay Dignpal, Advocate and Mr. AaryanVerma, Advocate appeared for the complainant whereas Mr. Akash Nagar, Advocate appeared for the respondent.

The complainant had filed the affidavit that the document shown to the Inquiry Committee in support of the publication of the news item is concocted and manufactured. Taking note of that the Inquiry Committee called upon the respondent newspaper to produce the documents in a sealed cover within two weeks by Order dated 28.5.2019. Despite that the respondent had not chosen to do so. Mr. Akash Nagar, Advocate appears on behalf of the respondent and states the said documents shall be produced before the Inquiry Committee in a sealed cover tomorrow.

Let it be done.

In case it is not done so, the Inquiry Committee may draw an adverse inference on account of non-production of the said document.

The matter was again listed on 21st January 2020.

The Inquiry Committee earlier recommended for dismissal of the complaint relying on an internal Report produced by the respondent. Thereafter, the complainant filed an affidavit on 11.3.2019 that the report is based on concocted and manufactured documents. Taking note of the aforesaid affidavit, the Inquiry Committee directed the respondent to produce the said Report in a sealed cover. Without disclosing the source of that Report, same was shown to the Counsel for the complainant. The Inquiry Committee is of the opinion that the plea made by the complainant that the Report is concocted, is not fit to be accepted and accordingly, Inquiry Committee reiterates its earlier recommendations and dismisses the complaint.

The Report produced by the respondent be kept in a sealed cover.

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 with aforesaid direction.

Press Council of India

S.No.23

F.NO. 14/56/18-19 PCI

Complainant

The Media Cell
Criminal Investigation Department, J&K
Residency Road, Srinagar, J&K.

Respondent

The Editor
The Sunday Gaurdian
Kailash Colony
New Delhi.

Adjudication dated 21.09.2020

This complaint dated 21.04.2019 has been filed by the Media cell, CID, J&K, against "The Sunday Gaurdian" for publishing a concocted story on Kathua Rape and murder case in its **Comments & Analysis page** under the head of **Opinion** in its issue dated 15th April 2018 captioned "**Anatomy of a Concoction**" by Mr. Sushil Pandit.

The news item authored by Mr. Pandit in the initial part talks why the murder of an adopted, nomadic, eight year old girl whose dead body was found in a remote forest area near Rasana village of Kathua district, apparently a Hindu dominated area in Jammu, suddenly dragged all attention. The news item further states that as soon as the Chief Minister Mehbooba Mufti learned about the incident, she had sent two Ministers to look into the matter in Rasana village. Even Hurriyat activists took personal interest in the matter and started investigating the matter from their capacity. Even after the matter being investigated by a local SHO of Hiranagar Shri Suresh Gautam who already made some progress in the investigation process and had sent the dead body of girl to Kathua District hospital for autopsy, the matter was taken away from him and a Special Investigation Team was appointed to investigate the matter which was again relieved from the case after ten days. Later, the matter was handed over to the Crime Branch of the State which included cops from Kashmir Valley and Ladakh and another ASI named Irfan Wani, a police officer who had been in jail for a year in a murder case and himself a rape accused got appointed in the team. The article adds that no sign of rape or sexual assault was found in the primary autopsy report and the medical examiner Dr Mukul was pressurised by CBI to look into the report repeatedly. Thus the question remains, whether the rape and murder of an eight year old girl was at all a truth or merely a fabricated version of the incident. Because adding a rape angle to an eight year old's found dead body would be enough to evoke revulsion in the region. The accusations legitimised the harassments and humiliations done to each and every family lived in Rasana village and political parties gained mileage out of the murder incident of a minor girl who was herself an orphaned daughter of parents who were murdered in the past on some property related dispute and she also had properties in her name and may have got victimised because of the same. The article further attempts to negate the charges against the accused arrested for the rape and murder of minor girl and had stated that it can be an entire fabrication of the actual incident.

According to the complainant the news item has raised serious queries about the specifics of Kathua rape and murder case which is highly objectionable. The news item also discloses the name of the victim which is breach of the PCI guidelines. The complainant alleged that the news item levels the Kathua incident as a fake news.

Lastly, the article directly maligns the integrity of the State Crime Branch and the State police organization by drawing a narrative that is quite adverse to the one established by investigation and corroborated by evidences and thus has created suspicion, confusion and prejudice over a sensitive matter.

The complainant further submitted that a letter dated 7.4.2018 has been forwarded to the editor of the respondent newspaper asking for an explanation however no response has been received on the same. The complainant, therefore, requested the Council to initiate an enquiry against the alleged impugned publication for resorting to demonstrate a cavalier attitude towards a heinous crime and preferring to publish material which is false and dismissing the strong apprehensions and consequences of such concocted narration on the prevailing situation in the region, which could potentially flare up tensions in the valley.

A Show Cause Notice dated 10.5.2018 has been issued to the respondent, which was received back undelivered from the postal authorities with the remarks "left". The show-cause notice was again issued through e-mail on 14.6.2018.

Reply filed by the respondent, Sunday Guardian

The respondent Sunday Guardian vide Written Statement dated 26.6.2019 has submitted that the article in question was a work of fiction and presented only such manner and not in any other manner as alleged by the complainant. He has submitted that the names involved in the article were all over the media already. Several newspapers and television channels were using those names, publishing pictures and carrying interviews without blurring the images. He has further submitted that the Kathua case was one of the rarest of the rare case and it became a huge rage amongst the people all over the world. Even a hashtag started trending on social media to get justice to her. He has submitted that article in question is based on fiction, question of maligning the integrity of the State Crime Branch & State Police and their investigation does not come into the picture. Further, he has requested the Council to dispose of the matter.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 20.1.2020 at New Delhi. No one appeared for complainant whereas Mr. Anindya Rai Verman, News Editor and Mr. Abhay Batra, Advocate appeared for respondent.

In a write up, the respondent newspaper has given the name of the victim and also other details. The respondent's plea is that it is published under the tag fake news with further disclosure that it is a work of fiction and therefore the respondent has not violated the Norms of Journalistic Conduct and the law prohibiting that.

The Inquiry Committee has heard Shri Anindya Rai Verman and Shri Abhey Batra, Advocate for the respondent and in the facts of the present case the explanation put forth by the respondent is not fit to be accepted. An incident of rape and murder had taken place in Kathua in the then State of Jammu and Kashmir. This has rocked the Nation and drew media attention. It has also been covered by the media nationwide. In the opinion of the Inquiry Committee, any story of an incident which in fact has really taken place, stating those facts with correct details and disclosing the real name of the victim of the crime cannot be allowed on the

ground of disclaimer and tag line. In the opinion of the Inquiry Committee, the respondent newspaper has not only violated the law but also the Norms of Journalistic Conduct and accordingly needs to be censured.

The Inquiry Committee, accordingly, recommends the respondent newspaper to be **censured** and a copy of this Order be forwarded to the Director of Information and Public Relations, the Government of Delhi, the DAVP and Jurisdictional Deputy Commissioner for appropriate action.

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 **Censure** the respondent newspaper.

Press Council of India

S.No. 24

F.No. 14/433/18-19

Complainant

Dr. S.K.Arora,
Additional Director,
Directorate General of Health Services,
Govt. of NCT of Delhi,
New Delhi

Respondent

The Editor,
The Times of India,
New Delhi
**(as recommended by the
Inquiry Committee in its
meeting dated 20.01.2020)**

Adjudication dated 21.09.2020

This complaint dated 26.11.2018 has been filed by Dr. S.K. Arora, Additional Director, Directorate General of Health Services, Government of NCT of Delhi, New Delhi against the Editor, The Times of India Group for allegedly publishing of advertisements of a Rajnigandha Brand, tobacco products and thereby violating Section 5 of Cigarette & other Tobacco Product Act (COTPA), 2003 & Delhi Prohibition of Smoking and Non-smokers Health Protection Act, 1996. The complainant has stated that as per Section 5 of COTPA 2003 all types of direct and indirect advertisements of tobacco products have been banned w.e.f. 01.08.2005. As per rule 2(a) of the said notification indirect or surrogate advertisement means:

- The use of Name or Brand of Tobacco Products for marketing, promotion or advertisement of other goods, service and events.
- The marketing of tobacco products with the aid of a brand name or trademark which is known as or in use as a name or brand for other goods and service.
- The use of particular colour and layout and/or presentation those are associated with particular tobacco products and
- The use of tobacco products and smoking situation when advertising other goods and services.

The complainant has further submitted that in spite of repeated show-cause/compliance notices, the Times of India is continuing committing violations under COTPA and day by day the advertisements of Tobacco brands are increasing in number in the newspapers. This clearly shows the negative attitude of Times of India Group towards government law as well as public health. The complainant has further added that DS Group of Rajnigandha was served show-cause notice under Section 5 for similar violations in the past for sponsorship in an event Nucleya Sub Cinema live event and they had withdrawn the sponsorship after their show-cause notice. The complainant has further stated that Literature fest is mostly attended by the School children and young adults, resulting immature mind of school going child/younger will accept Rajnigandha Tobacco/Pan Masala as an acceptable good product in view of its strategic display at the festival.

The complainant vide his letters dated 27.11.2017, 15.2.2018 28.02.2018, and 21.3.2018 drew the attention of the respondent in this regard. In response thereto, the respondent vide letter dated 21.02.2017 14.03.2018 and 14.12.2018 addressed to the complainant while denying the violation of section 5 of the (Cigarette and Other Tobacco Products Act) 2003 "COTPA" has stated that the Rajnigandha is not a

Cigarette or a tobacco product. The respondent has further stated that the Hon'ble Supreme Court in the matter of Tata Press Limited vs. Mahanagar Telephone Nigam Ltd. 1955 SCC (5) 130 has held that advertisement is also part of freedom of speech and expression. The respondent further stated that the lit festival was private event for the Adult invitees only and not for the school going children. The respondent requested to withdraw Show Cause notice dated 27.11.2018.

The complainant has requested the Council to direct the Times of India Group to immediately withdraw the promotion of Rajnigandha brand from the festival & all Medias on which it is being promoted for Times Lit Fest and stop promoting any tobacco brand for any activity or in any media in future.

A Show Cause Notice dated 19.12.2018 was issued to the respondent editor, the Times of India.

Reply filed by the Times of India

Shri Shailendra Singh, Advocate for the Editor, Times of India, Mumbai Edition, vide Written Statement dated 9.5.2019 has submitted that they have not violated Section 5 of the (Cigarette and Other Tobacco Products Act) 2003 "COTPA". The Rajnigandha is not a Cigarette or a tobacco product, hence, the question of violation of Section 5 of COTPA does not arise. The advertiser has taken permission from the government for manufacturing this product without tobacco. He has further submitted that they have checked and asked the advertiser whether they have any product of tobacco in the name of Rajnigandha and after hearing that in affirmative and on their representation that no such product exist, the newspaper agreed to allow them to advertise with it. Moreover, the pictures used in the advertisement are for representation purpose only and no brand name trade mark is mentioned on them.

He has further submitted that the person accepting the advertisements for publication checks whether product contains tobacco or the advertisement belongs to any tobacco product and generally asks advertiser for this. In case of any contravention, if any, the advertiser is only liable as content of the advertisement belongs to the advertiser and they accept advertisement in good faith without suspecting the bonafide of the advertiser. The Hon'ble Supreme Court has held that advertisement is also a part of freedom of speech and expression the legally manufactured product whose sale and advertisement is not banned has right to advertise. The Hon'ble Supreme Court in one of its judgement has said that:

"It is necessary that publication must be judged as a whole and news items, advertisements or passages should not be read without the accompanying message that is purported to be conveyed to the public. Also the members of the public and readers should not look for meanings in a picture or written article, which is not conceived to be conveyed through the picture or the news item"

In one of the similar cases i.e. **Tata Press Ltd. V. Mahanagar Telephone Nigam Ltd, (1995) 5 SCC 139**, Hon'ble Supreme Court has found advertising to be an important right of a commercial establishment, and held that "Commercial speech" is a part of the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution. It found that advertisements can only be restricted

under the specific exceptions carved out in Article 19(2) and when not crossed the test of Article 19(2), cannot be restricted.

The Written Statement further states that it is wrong to suggest that the immature mind of school going children/youngsters will accept this as an acceptable good on account of strategic display at the festival. There was no reference to Tobacco and hence no negative affect can be made on young children or to anyone else. The “NICOMELTZ” is not a Cigarette or a tobacco product, while the product advertised helps in quitting the habit of smoking. He has requested the Council to drop the proceedings against the respondent newspaper.

A copy of the Written Statement has been forwarded to the complainant, Dr. S.K. Arora vide Council’s letter dated 16.5.2019.

Appearance before the Inquiry Committee

The Complainant, Dr. S.K. Arora (**surname has been corrected as recommended by the Inquiry Committee in its meeting dated 20.01.2020**), Additional Director, D.G.H.S is present. The respondent paper is represented by its counsel, Shri Akash Nagar, Advocate.

Submissions of the Complainant

The matter came up before the Inquiry Committee on 21.8.2019 at New Delhi. The Complainant in his submissions pointed out the violation of Section 5 of the Cigarette and other Tobacco Products Act, 2003 by the Times of India for carrying number of advertisements of tobacco and pan masala products. On being Show caused by the Delhi’s Directorate General of Health Services, the respondent paper alleged to have not given a satisfactory reply and continued impugned publications.

He has interalia also cited violation by the paper for allegedly promoting ‘Rajnigandha’ brand at ‘Times Literature Fest’ in New Delhi, describing the Act as a “clear violation of Section 5 of the aforesaid Act which prohibits any direct or indirect advertisement of cigarette and other product that contain tobacco. According to complainant, a literature festival is mostly attended by several children and young adults and associating with such a brand i.e. ‘Rajnigandha’ leads the students to believe that ‘Rajnigandha’ as a good product.

The Complainant submitted that “Rajnigandha” which is registered as a tobacco product and has got trademark certificate by the authority under the Ministry of Commerce, the respondent paper cannot advertise in name of other groups such as pan masala. It is blind promotion as it doesn’t say whether it is tobacco or pan masala.

Submissions by the Respondent paper:

The Counsel for the respondent while reiterating the submission already given its written statement has contended that under COPTA Act, 2003 only those advertisement or promotions are banned which contain tobacco and Rajnigandha does not contain tobacco as it is registered as pan masala and does not contain tobacco. The Counsel stated that they have letter from the maker of Rajnigandha

certifying that “no tobacco product or variants are used under the Rajnigandha Brand name”.

Recommendations of Inquiry Committee

The Inquiry Committee carefully perused the record of the case and heard the submissions put forth by the parties.

The respondent paper is relying on the certificate given by the company saying that no tobacco product or variants are used under the Rajnigandha brand name.

On being categorically asked by the Inquiry Committee to clarify if ‘Rajnigandha’ is registered as tobacco brand or not, the respondent is unable to give specific reply thereon.

Another submission of the respondent paper in the written statement is that a person accepting the advertisement for publication checks whether product contains tobacco product and generally ask advertiser for this. In case of contravention, if any, the advertiser is only liable as content of the advertisement belongs to the advertiser as the paper accepts advertisement in good faith without suspecting the bonafide of the advertiser.

Section 1 of the Press and Registration of Books Act, 1867 defines editor to mean “the person who controls the selection of the matter that is published in newspaper”. Thus the editor’s duty is to select the entire matter including the classified advertisements, which are published in the newspaper. In the opinion of the Inquiry Committee the ‘matter’ would not mean only news contents or editorials but every word printed in the newspaper.

Another statutory provision relevant for the purpose is Section 7 of the PRB Act, same reads as follows:-

Office copy of declaration to be *prima facie* evidence.

In any legal proceeding whatever, as well civil as criminal, the production of a copy of such declaration as is aforesaid, attested by the seal of some Court empowered by this Act to have the custody of such declaration, or, in the case of the editor, a copy of the newspaper containing his name printed on it as that of the editor shall be held (unless the contrary be proved) to be sufficient evidence, as against the person whose name shall be subscribed to such declaration, or printed on such newspaper, as the case may be that the said person was printer or publisher, or printer and publisher according as the words of the said declaration may be of every portion of every newspaper whereof the title shall correspond with the title of the newspaper mentioned in the declaration, or the editor of every portion of that issue of the newspaper of which a copy is produced.

Not only this clause 36(XII) of Norms of Journalistic Conduct makes the Editor responsible for all matters including advertisement, same reads as follows:

36 Advertisements

X XXX X
XII An editor shall be responsible for all matters, including advertisements published in the newspaper. If responsibility is disclaimed, this shall be explicitly stated beforehand.

X X X X

Thus there is no escape from the conclusion that Editor is responsible for all the matters published in the newspaper including the classified advertisements.

The certificate of the authority under the Ministry of Commerce shows that 'Rajnigandha' is a tobacco product. In the face of it the statement of the company to the contrary is not fit to be accepted. Once it is held so the respondent newspaper has published advertisement of a tobacco product and for this the newspaper is solely responsible.

Accordingly, the Inquiry Committee recommends that respondent newspaper be careful in future and refrain from publishing such advertisement in future.

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 directs the respondent newspaper Times of India, Delhi Edition (**as recommended by the Inquiry Committee in its meeting dated 20.01.2020**) to be careful in future.

Press Council of India

S.No. 25

F.No. 14/128/18-19-PCI

Complainant

Dr. Prasun Chakraborti
Chairman IR & AA,
National Institute of Technology
Agartala,
Tripura.

Respondent

The Editor
Syandan
Shakuntala Road
Near Orient Choumuhani
Agartala

Adjudication dated 21.09.2020

This complaint dated 18.5.2018 has been filed by Dr. Prasun Chakraborti, Chairman IR & AA, National Institute of Technology (NIT), Agartala, Tripura against the Editor, Syandan Patrika, Bengali Daily, Agartala for allegedly reporting/publishing a defamatory news item based on a malicious and obnoxious complaint of one Dr. Sanjib Deb (allegedly a non-existent alumni of NIT Agartala), in its issue dated 4th May 2018 captioned “***NIT Kelenkari: CBI Todonto Cheye Desher Sorbochho Storay Arji Pesh***” (***Scam at NIT Agartala : CBI inquiry sought at the highest level of the country***). English translation of the impugned news item, as provided by the complainant, read as follows:

“Misappropriation of a lakh crores and other criminal activities related enquiry by CBI and its early completion and exemplary punishment towards the criminals has been appealed in regards of NIT (Agartala), which is the proud establishment of North East and the country. The Prime Minister, Central Home Minister, Chief Minister of the state has been approached to interfere in the matter. On 13.10.2017, the Director of CBI has written to the Chief Secretary to transfer the whole investigation to CBI, but mysteriously the state government has shown a clam response. Prof. P.K. Bose, Ex. Director of NIT Agartala; Dr. Prasun Chakraborti, Associate Professor; Dr. Priyanath Das, Association Professor; Dr. Richi Prasad Sharma, Professor and Dr. Ajoy Kumar Chakraborty, Dean, all five are accused of misappropriation fund and criminal conspiracy. The case was registered at Jirania Police Station and the investigation is very slow, therefore, CBI wanted to take up the case, but the state government has not shown any interest. For this reason, the alumnus of this institute, Dr. Sanjib Deb has sent letter to Education Minister and Health Minister of the state and media that Prof. P.K. Bose (Ex. Director of NIT) and his associates has taken illegally crores of rupees, valuable property including car from many sanctioned project of MHRD. Dr. Deb mentioned that how Dr. Prasun Chakraborti is gifted a Scorpio car in lieu of a construction work was given to Nagarjun Construction Company for crores of rupees. He also cited that many items including the software are purchased only on papers, which are not received by NIT. Thus it is required to unveil the whole episode under investigation of CBI and punish the culprits. In this connection, it might be stated here that this unholy syndicate disrupted the program of MHRD Minister of State, Dr. Mahendra Nath Pandey by saying that the minister from the state of Tripura, Shri Manik Dey will open the market instead of Central Minister. This vicious circle enhanced their activities for disruption the program of Central Minister after filling of police case at Jirania Police Station”.

Denying the allegations levelled in the impugned news item, the complainant alleged that respondent published false, baseless, defamatory contents without any prior verification. According to the complainant, the NIT Agartala never received a fund of a lakh crores till date. The award of fund is mainly given by Ministry of HRD which generally limited to approximate Rs.150 crores a year including plan and non-plan expenditure. The complainant stated that this is an exaggerated amount to defame the institute and in person to him. The complainant further stated that no proceedings or disciplinary action was initiated or pending against him from the side of NIT. The complainant also stated that he purchased a Santro car fourteen year back on 75% loan. According to the complainant, during the visit of Dr. Pandey, Minister of State, Human Resource, New Delhi to NIT Agartala, he was out off station. Therefore, the allegation of associating with divergence type of activities is also baseless. The complainant has stated he checked the alumni list of the University but did not find the name of Dr Sanjib Deb who had filed a complaint against Dr Chakraborti in the capacity of NIT, Agartala's alumni and the same has been reported by Syandan Patrika. As such publishing news on the basis of a complaint filed by a fraud person by the Syandan Patrika is violation of journalistic ethics and has maligned the reputation of the complainant.

The complainant submits that the respondent newspaper with publication of the impugned news item has tarnished his reputation and also the University's reputation. He further submitted that vide letter dated 12.07.2018, he requested the respondent to publish clarification/modification against the published impugned news item but did not receive any response. Therefore the complainant requested the Council to take necessary action in the matter.

A Show Cause Notice dated 01.10.2018 has been issued to the respondent newspaper.

Reply Filed by the Respondent

The respondent vide letter dated 15.10.2018 submitted that a protest letter of Mr Prasun Chakraborti was duly published with their own views on 20th July 2018 against the publication of 4th May 2018 captioned "***NIT Kelenkari: Khoborer Protibadey***" (***NIT Scam: Clarification against news item***). He has further submitted that many people are reportedly involved in the NIT Scam and the matter is under investigation by the Central Agency. Meanwhile, a complaint has been filed on the NIT Scam by one Dr Sanjib Deb who claimed that Dr Chakraborti is one of the perpetrators and the complaint copy was sent to the Prime Minister of India, HRD Minister, Government of India and Chief Minister of Tripura and hence, a Report has been published by the newspaper on the basis of the complaint. The respondent further submits that as per the objection received from the complainant (Dr. Chakraborti) a clarification has already been published by the newspaper. Therefore, the respondent has requested the Council to dismiss the complaint.

Counter comments of the complainant

The complainant vide his letter dated 18.12.2018 submits that the comparison between whatever communicated by the complainant to the respondent newspaper and the clarification published by Syandan in its issue dated 20th July 2018 are mismatching at several aspects which are firstly, the earlier impugned news item was published on the front page with bold headlines containing three columns but the

clarification to it was published in the second page with single column. Secondly, no academic credentials of the complainant has been published in the clarification. Even the clarification does not mention the name of the complainant as Dr. Prasun Chkraborty which shows the disregard of the respondent towards the complainant.

The Complainant further submits that the respondent has committed violation of journalistic ethics by publishing an unverified news item and hence action may be taken against the respondent newspaper.

Further Communication received from the complainant

Dr. Prasun Chakraborti, complainant vide letter dated 17.7.2019 has sent further submission in support of his case. He has submitted that news editor published a news causing a social commotion by citing a scam of Rupees one Lakh Crore which is beyond any imagination as NIT Agartala never been received such voluminous of grant from any financial institutions. He has further submitted that gifting a Scorpio type SUV is self-drawn wishful news of the Editor without verification of the facts, thus proved the style of publishing of news item as he is using a Santro Car for last fifteen years. He has further submitted that a news item along with photograph of a lady claiming to be wife of Prime Minister drawn from face book was published by the Editor with an aim to defame the Prime Minister. Thus the paper does not bother who is the person concerned.

The complainant has submitted that there is no trace of Dr. Sanjib Deb who according to the respondent Editor forwarded the complaint against him. The same newspaper earlier published a defamatory and obnoxious news about NIT Agartala by citing a complaint of one Debasish Das where he had given copies of the same to Chairman BOG NIT Agartala. The then Chairman searched and found no trace of the person, Debasish Das.

Communication received from respondent Editor

Shri Abhishek Dey, Resident Editor, Syandan Patrika vide email dated 5.7.2019 has requested the Council to adjourn the hearing as the Editor of the Syandan Patrika, Shri Subal Kumar Dey is severely ill and is suffering from languorous problems. He is not physically fit to travel Patna and attend the meeting. He has enclosed a protest letter of the complainant which was published on 24th July, 2018 by the respondent Editor, which may be read as under”

“NIT SCANDAL: CBI enquiry sought at the highest level of the country” which was published on 4th May,2018-Dr. Prasun Chakraborty sent a protest letter on 12th July, 2018 and claimed that there is no Dr. Sanjib Deb in NIT List. The complainer Sanjib Deb is false. The contractual work of NIT is awarded by board of Directors of NIIT. No body gifted me Scorpio Car. When Minister of State of HRD Mr. Mahendra Nath visited NIT Agartala I was out of State”.

Further communication received from complainant

Referring to the respondent’s communication dated 5.7.2019, the complainant has submitted that two protest letters were given to the Editor, Syandan in the year 2015 and 2016, but never published. Only this time, when he approached PCI, it is published but in a remote location. He has further submitted

that the scar made on the mind of a faculty member, who has chosen to serve the educational sector giving up the executive life style of an engineer and thereafter blame put on the family cannot be healed with a publication of protest letter. The Editor should apologize or publish a conducive news in the first page of the newspaper as a healing touch for such defamatory act of his newsman or news editor. The complainant further submitted that as per reply received from the Editor, Syndan, cited documentary evidence, no disciplinary proceedings were initiated or pending against him. During his tenure of a functionary post as Dean P&D, the construction rate was cheapest despite of higher specification. The Chairman Board of Governor, NIT Agartala termed him as a faculty of high integrity and honesty.

Communication received from the respondent Editor

The respondent vide mail dated 19.1.2020 informed that the matter is under CBI Investigation and the CBI has transferred the case to Delhi Police. Thus, the matter is *sub judice* and cannot be taken by the Press Council of India until further investigation is completed.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 21.01.2020 at New Delhi. There was no appearance from either side.

The respondent in its mail dated January 19, 2020 has brought to the notice of the Inquiry Committee that the matter is under investigation by CBI.

In view of the aforesaid, 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. 26-29

F.No. 14/182-185/19-20-PCI

Complainant

Smt. Anju Agarwal,
W/o Shri Ved Prakash Agrawal,
Ghaziabad, U.P.

Respondent

The Editor,
Dainik Jagran,

The Editor,
Navbharat Times,

The Editor,
Amar Ujala,

The Editor,
Hindustan,

Adjudication dated 21.09.2020

This complaint dated 04.06.2019 has been filed by Smt. Anju Agarwal against the Editors of Dainik Jagran, Navbharat Times, Amar Ujala and Hindustan for publishing false and misleading news items on 16.5.2019 under the captions mentioned below:-

<u>Name of Newspaper</u>	<u>Captions</u>
दैनिक जागरण	गलत तरीके से सरकारी भूमि उपयोग करने का आरोप
नवभारत टाइम्स	लैंडक्राफ्ट डेवलपर्स पर सरकारी जमीन कब्जाने का लगाया आरोप
अमर उजाला	लैंडक्राफ्ट डेवलपर्स पर करोड़ों की सरकारी जमीन कब्जाने का आरोप
हिंदुस्तान	करोड़ों की सरकारी जमीन पर कब्जा किया

The impugned news items reported that Shri Rajendra Tyagi, senior leader of BJP and Councillor has alleged in a press conference that the Landcraft Developers Pvt. Ltd. has confiscated govt. land illegally in the name of Integrated Township Planning. In a press Conference, Shri Rajendra Tyagi alleged that in 2006 the Landcraft Developers was given license to develop integrated township at 91.6 acres land near NH-9, Mehrauli. The said developer acquired 63.7 acres land directly from farmers while Ghaziabad Development Authority after acquiring provided only 1278 square meter land to the developer. It has been further reported in the impugned news item that the developer, instead of paying Rs. 2472 per sq. meter as fixed rate, made the payment as Rs. 1100 per sq. meter. Mr. Tyagi has alleged that the developer has acquired land of Irrigation Department also and it caused revenue loss of Rs. 16.55 crore to the Department. It is also reported that "Green Area" was to be developed in 52 thousand sq. meter while the developer has developed in 10 thousand Sq. meter only. Shri Rajendra Tyagi has requested to the Chief Minister, Chief Secretary and other officers to investigate the matter.

Denying the allegations, the complainant had asked all the newspapers to provide evidences based on that the impugned news reports were published. She submitted that the statement given by Shri Rajendra Tyagi in a Press Conference is misleading. She further submitted that she had provided evidences pertaining to development of township on the Irrigation Department land to the newspaper,

Dainik Jagran, but it sold all the information to the Councillor. She has requested the Council to take strict action against the respondents.

The complainant vide letter dated 18.05.2019 drew the attention of the respondents towards the impugned news items and requested to publish corrigendum for betraying her by selling her proofs to the Councillor but no response has been received. The complainant requested to take action against the respondents.

Show Cause Notices dated 26.7.2019 issued to the respondent editors, Dainik Jagran, Hindustan, Amar Ujala and Navbharat Times, U.P. respectively followed by Time Bound Reminder on 02.09.2019. A reminder was again sent to the Hindustan and Amar Ujala on 13.11.2019 but no response has been received from them.

Written statement filed by Jagran

The respondent vide written statement dated 9.9.2019 while denying the allegations submitted that the assertions made in the complaint are false, concocted, baseless and derogatory. The impugned news was already published by other newspapers much prior to the day it was published by the respondent newspaper. Thus, the allegations of providing the documents to the Councillor are false and concocted. Further, the complaint is made under malafide intentions as the correct fact is that husband of the complainant used to file complaints against the Landcraft Developers as he has purchased a flat in the aforesaid society and he is fighting with the Developers and made many complaints in this regard. The complainant and her husband pressurized the respondent for publishing news but as the same has already published by other newspapers the respondent newspaper did not publish the same. The complainant submitted that the news is published on the basis of press conference in balanced way after getting version of the concerned authorities. The respondent prayed that the complaint is devoid of merits and the same is liable to be rejected.

Written statement filed by Navbharat Times

The respondent vide written statement dated 25.09.2019 while denying the allegations in toto submitted that the news is published in public interest on the basis of the press conference of BJP Councillor, Shri Rajinder Tyagi and comments of the founder of Landcraft Developer Private Ltd.. It is unbelievable that any journalist will keep collecting the documents and in turn give it to someone else to do press conference and then to carry news on the basis of that press conference. These allegations are defamatory to newspaper which is known for providing unbiased news to its readers. The complainant claims to have collected this information by sheer hard work for years and by spending huge amount of money if it was case and she was aggrieved she should have gone to court with these documents instead of sharing with the newspaper. The respondent submitted that the allegations do not have even iota of truth and liable to be dismissed at threshold itself. He requested to drop the proceedings.

Counter comments

The complainant vide letter dated 4.11.2019 while reiterating the allegations submitted that founder of the builder is a State Minister and land-mafia who work for earning in crores by grabbing govt. land for township development. In this act, the respondent newspapers have co-operated the pvt. builder and a local councillor got publish his comments with the help of respondent newspapers to divert attention of the public and to shine his politics. These newspapers are also in co-operation of the land-mafias and the corrupt persons by not putting forth truth before the public and by avoiding their duties. The complainant requested to take strict action against the respondents for having confidence of the public on the newspapers.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 21.01.2020 at New Delhi. Shri Ved Prakash Aggarwal, husband of the complainant appears on behalf of the complainant whereas the advocate, Shri Alok Srivastav from 'Hindustan', Shri P.R.Rajhans and Shri Neeraj Kapoor for Amar Ujala, Shri Kapil Yadav, Legal Officer and Shri B.K. Mishra for Dainik Jagran, Shri Akash Nagar and Shri Ram Isha Jain for Navbharat Times appear on behalf of respondents.

The Inquiry Committee has heard Shri Ved Prakash Aggarwal on behalf of complainant, Smt. Anju Aggarwal and the counsel for the respondents and has also perused the petition of complaint, the written statement and other connected papers. It is not the allegation of the complainant that what has been published in the newspaper is untrue; her grievance is that the material collected by him has been used.

The Inquiry Committee is of the opinion that the respondent has not violated any Norms of Journalistic Conduct so as to call for action by the Council.

The Inquiry Committee accordingly recommends for the 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. 30

File no. 14/418/19-20-PCI

Complainant

Shri Vedantam Giri,
Additional Resident Commissioner,
Telangana State,
Telangana Bhavan, New Delhi.

Respondent

The Editor,
Andhra Prabha,
Hyderabad.

Adjudication dated 21.09.2020

This complaint dated 30.10.2019 has been filed by Shri Vedantam Giri, Additional Resident Commissioner, Telangana State, New Delhi against the Editor, Andhra Prabha, Telugu Daily, Hyderabad for allegedly publishing wrong and defamatory news item under the caption “**Appointment of Gaurav as Resident Commissioner at Telangana Bhavan**” (English translation as provided by the complainant) in its issue dated 11.10.2019.

As per English translation provided by the complainant, it is reported in the impugned news item that- “The Government has issued orders appointing Shri Gaurav Uppal as Resident Commissioner, Telangana Bhavan, who is working as District Collector, Nalgonda and belongs to 2005 batch IAS. After the transfer of senior IAS officer, Shri Ashok Kumar, Shri Vedantam Giri who was Additional Resident Commissioner has been given the full charge of Resident Commissioner. However, recently regarding the administration management of Telangana Bhavan and coordination with Central Government on various matters of State Government, the expectation of the state government have not been up to the mark and it is known that the Chief Minister’s Office appears to be not happy. Recently, during the visit of the Chief Minister there is news that the Chief Minister has expressed his anger against the working of the Resident Commissioner. On the other hand, it is also known that the employees and other staff working in Telangana Bhavan have complained against the functioning of Shri Vedantam Giri. Keeping all this in view, it appears that the changes have been done. Presently, Shri Vedantam Giri has been relieved from the Additional charge with immediate effect. He has been given his original position of Additional Resident Commissioner. Very soon Shri Gaurav Uppal will assume the charge of Resident Commissioner”.

Denying the impugned news item, the complainant has alleged that the respondent published totally wrong and untrue details in the impugned news item and thereby tarnished his image. The complainant has further alleged that there is not even a single verifiable truth and the impugned news item was published on presumption.

The complainant vide his letter dated 30.10.2019 drew the attention of the respondent towards the impugned news item requesting him to take strict action against the correspondent and published a rebuttal but to no avail. The complainant has requested the Council to take necessary action against the respondent.

A show-cause notice was issued to the Editor, Andhra Prabha, Hyderabad on 13.12.2019 followed by a reminder dated 21.1.2020.

Written Statement of Andhra Prabha

The Editor, Andhra Prabha vide his written statement dated 4.2.2020 informed that the impugned news item was mainly intended to give information of the new appointment of Shri Gourav Uppal as Resident Commissioner of Telangana Bhavan. The respondent further stated that the intention of printing heading as “DELHI TELANGANA BHAVAN RESIDENT COMMISSIONER GOURAV” was only to project that Mr. Gourav has been appointed as Resident Commissioner of Telangana Bhavan. The respondent submitted that their motive behind the publication was to let the readers know as to what might be the reason for this sudden new appointment. The respondent had no ill intentions to defame Shri Vedantam Giri. As a matter of fact some other paper in Telugu published some information regarding Telangana Bhavan developments. The information regarding the publication was received from reliable sources.

Reply of Bureau Chief of Andhra Prabha

Ms. Swaroopa Potlapalli, Delhi Bureau Chief, Andhra Prabha vide her undated reply stated that the impugned news item was filed by her is full of facts and there is not even 1% false reporting. She has further stated that she had no bad or ill intention to defame the complainant and the purpose of the title of the impugned news item is clearly about the government order appointing Shri Gourav Upal as the new Resident Commissioner. She has alleged that after publication of impugned news item, the complainant has been trying to take revenge on her using his official position in all means. Instead of asking for publishing clarification or rejoinder, the complainant made several complaints to her management and thereby harassing her.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi. The complainant appeared in person, while the respondent newspaper is represented by Ms. Swaroopa Potlapalli, Delhi Bureau Chief of Andhra Prabha and Shri K. Amarnath.

The complainant is aggrieved by the publication of a news item in the respondent newspaper in its issue dated 11th October, 2019. The Inquiry Committee has heard the complainant as also Ms. Swaroopa, Delhi Bureau Chief of the respondent newspaper and Mr. K. Amarnath. The Inquiry Committee has also perused the complaint, the written statement and all other connected papers and is of the opinion that the grievance made by the complainant is misconceived.

Accordingly, the Inquiry Committee, 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. 31

F.No. 14/715/18-19-PCI

Complainant

Shri Dev Sharma,
S/o Shri Surendrapal Sharma,
Mohalla Raitola Kasba & Post Khootar,
Tahsil Puwaya, District-Shajahanpur-
Uttar Pradesh

Respondent

Shri Anand Verma,
Agency Holder, Dainik Jagran,
S/o Shri Omprakash Verma
Village Saufri, P.S.Khootar,
District Shajahanpur-242405,
Uttar Pradesh

Shri Neeraj Sharma,
Agency Holder, Dainik Jagran,
S/o Shri Murari Lal Sharma,
Mohalla Raitola Kasba & Post
Khootar,
Tahsil Puwaya, District-
Shajahanpur-
242405, Uttar Pradesh

Adjudication dated 21.09.2020

This complaint dated 19.03.2019 has been filed by Shri Dev Sharma, Shahjahanpur against Shri Neeraj Sharma and Shri Anand Sharma, Agency Holders of Dainik Jagran, Shahjahanpur, U.P. for their alleged involvement in blackmailing in the garb of journalism.

The complainant has alleged that the respondent journalists who are working for Bareilly edition of Dainik Jagran at Khootar area, made efforts to falsely implicate complainant's name in the case in connivance with the Inspector-In-Charge, Shri Guddu Singh Yadav. After that, they demanded money to protect him from the case. The complainant stated that he has audio and video recordings as proof of blackmailing. He added that both of them have been consistently making efforts to implicate him falsely in several other matters as he is not bowing down to their demand of money. They have been harassing him mentally in the garb of newspaper and threatened to spoil his career.

A copy of the complaint was sent to the respondents on 26.07.2019 for their comments.

Written statement

The respondents-Shri Neeraj Sharma and Shri Anand Verma, Agency Holders of Dainik Jagran vide letters dated 24.08.2019 submitted that they have no connection with the complainant. The allegation of the complainant is absolutely wrong as they went to the Police Station for collection of news where Shri Risi Pandey, bus driver, gave application against three persons and a case was registered against the complainant on the same basis. In this regard, photocopy of the FIR is

also enclosed as a proof. The respondents have stated that they had never demanded money from the complainant. They stated that in the past, agency of Dainik Jagran was being run by Shri Amardeep Singh which got out of his hands due to his wrong doings. Owing to this, he has been filing false complaints against the respondents through complainant so that he may get the agency. Thus, the allegation against them is completely false and wrong. The respondents have requested to reject the complaint.

Counter Comments

The complainant vide letter dated 3.10.2019 submitted that the respondents have protected themselves by alleging the former journalist, Shri Amardeep Singh for filing false complaint, however he has no role in this matter. Recently, Shri Anand Verma misbehaved with a constable during vehicle checking and video of the constable is also available with the complainant. Even Shri Anand published a news of his wife in his own newspaper relating to a dispute with her co-employee. A news was again published by him on 18.9.2019 in which four photographs were published wherein one was of his father and other were of his relatives. The said news was topic of discussion among the public for many days as the news has no connection with the social issue but no action has been taken by the institute. The complainant stated that strict action may be taken against the culprits after investigating the matter. The complainant has requested that it is dangerous for the society to provide opportunity of journalism to such people in reliable institutes.

The matter first came up for hearing on 18.12.2019 at Prayagraj and Inquiry Committee passed orders for issuing Notice to the Editor, Dainik Jagran, Bareilly (Shahjahanpur edition). The direction of the Inquiry Committee communicated to the parties on 7.1.2020.

Reply from Dainik Jagran

Shri Kapil Yadav, Legal Officer, Dainik Jagran vide his letter dated 15.2.2020 stated that the complaint is concerning to personal dispute between the complainant and the agency holders of Dainik Jagran and the Editor is not responsible for the allegation as made by the complainant as there was no news published in the newspaper. He has requested the Council to remove Dainik Jagran from the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. The complainant appears in person whereas Ms. Poonam Atey, Advocate and Shri Kapil Yadav, Legal Officer appears on behalf of Dainik Jagran along with S/Shri Anand Verma and Neeraj Sharma, Agency Holders.

Ms. Poonam Atey, Adovcate is present on behalf of the respondent newspaper, Dainik Jagran along with Mr. Kapil Yadav, Legal Officer. They state that engagement

of respondents, Shri Anand Verma and Shri Neeraj Sharma, as Agency holders have been terminated.

In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further. However, it would like to observe that in case, the statement made on behalf of the respondent newspaper, Dainik Jagran is found to be false, appropriate action as permissible in law shall be taken. The complainant is given liberty to bring such facts to the notice of the Council.

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 Committee and decides to dispose of the complaint.

Press Council of India

S.No. 32

F.No.14/354/18-19-PCI.

Complainant

Shri Bhagwandeem Sahu,
Sant Shri Asharam Ji Gurukul,
Chhindwara (M.P.).

Respondent

The Editor,
Dainik Bhaskar,
Chhindwara (M.P.).

Adjudication dated 21.09.2020

This complaint dated 4.10.2018 has been filed by Shri Bhagwandeem Sahu, Sant Shri Asharam Ji Gurukul, Chhindwara (M.P.) against the Editor, Dainik Bhaskar, Chhindwara (M.P.) for allegedly publishing false, misleading and defamatory news item under the caption “मामला आदिवासी की जमीन का” in its issue dated 7.9.2018.

It is reported in the impugned news item that in the matter of tribal's land, a second Notice has been issued to the Ashram Management for taking possession on the land of Shakti Trust. It has been further reported that the tribal's had lodged a complaint that Ashram Management encroached the land forcibly, while this land belongs to them. According to the impugned news item, the land dispute of Parasia Road between Tribal society and Gurukul Management has been going on for a long time. This matter was brought before the Vice Chairman of the ST Commission, and the Commission issued a Notice and sought a response from the management. In the absence of any reply, a second Notice was issued.

Denying the allegations, the complainant has stated that the Gurukul is a reputed institution and many students from the country come to get higher education. The complainant has alleged that the respondent has been defaming their institution and misleading the common people by publishing malicious news items against them for the last four years. Sant Shri Asharamji Gurukul is governed by Shakti Trust. The complainant has further alleged that the respondent published the impugned news item under a conspiracy. The complainant has also alleged that the respondents made a false complaint to the Commission with a view to extort money. According to the complainant, as per order passed by the District Collector, the Sub-Divisional Officer (Revenue), Chhindwara and Revenue Inspector, Chhindwara gave an Investigation Report to the Vice-Chairman, National ST Commission and Chief Minister's Helpline on 12.9.2018 and 19.9.2018, wherein it is clear that the land belongs to Shakti Trust. The complainant has further submitted that on 12.9.2019 he had sought information under RTI Act from the Sub-Divisional Officer (Revenue), Chhindwara to provide him a certified copy of the Notice issued to the Ashram Management on the direction of ST Commission. In response thereto, Sub-Divisional Officer (Revenue), Chhindwara gave him written report and the Officers of District Collector and SDM offices verbally intimated that no Notice was issued to the Ashram Management. They further informed that the Vice-Chairman of ST Commission and Chief Minister's Helpline sought information from them, which was duly given to them, then why they will issue Notice to the Ashram Management.

The complainant wrote to the respondent on 29.9.2018 with a request to publish clarification but to no avail.

A show-cause notice was issued to the Editor, Dainik Bhaskar, Chhindwara on 30.11.2018.

Written Statement

The Editor, Dainik Bhaskar, Chhindwara vide his written statement dated 19.12.2018 while denying the allegations has stated that the complainant filed this complaint with a view to pressurize him so that they could not publish the news related to Ashram. The respondent has further stated that impugned news has been published without prejudice after considering that the second Notice issued to the Shakti Trust by the Commission is correct and no such objectionable content was mentioned in this impugned news item. The respondent has also stated that the complainant himself mentioned that it has been stated verbally by the Collector and the SDM that no notice was issued by the Commission, which proves that the complainant filed the complaint with a view to pressurize them. According to the respondent, the Notice dated 29.9.2018 was withdrawn by the complainant when he was informed of all the facts. He has requested the Council to dismiss the complaint.

Counter Comments

The complainant vide his counter comments dated 7.2.2019 while reiterating his complaint alleged that the respondent has tried to mislead the Hon'ble Press Council. The complainant has stated that the Notices dated 4.10.2018 and 11.10.2018 were issued to the District Collector, Chhindwara and the Special Secretary, Government of M.P. not to the Ashram Management. The complainant has further stated that the respondent is intentionally causing disharmony among the people. 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 25.2.2020 at New Delhi. There was no appearance on behalf of the respondent newspaper while the complainant appeared in person.

The Inquiry Committee has heard the complainant and has perused the petition of complaint, the written statement and other connected papers. 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 Committee and decides to dismiss the complaint.

Press Council of India

S No. 33

F.No.14/352/18-19-PCI.

Complainant

Shri Bapusaheb Laxman Jaradpatil,
Pune,
Maharashtra.

Respondent

The Editor,
Sakal,
Pune, Maharashtra.

Adjudication dated 21.09.2020

This complaint dated 13.09.2018 has been filed by Shri Bapusaheb Laxman Jaradpatil, Pune, Maharashtra against the Editor, Sakal, Marathi Daily, Pune for allegedly publishing fake news item in its issue dated 23.05.2018 under the caption “**Sugarcane over 2.5 acres area for Cattle**” (English Translation as provided by the complainant).

As per English translation provided by the complainant, it is reported in the impugned news item that President of Urulikanchan Cooperative Society and his associates along with Shri Nivrutti Jarad (elder brother of complainant) together distributed sugarcane crop cultivated over 2.5 acres land free of cost to the farmers near Uruli Kanchan for their cattle. It is further reported in the news item that Shri Santosh Kanchan and his associate President of Uruli Kanchan Traders association had purchased land (Gut No. 419) from Shri Nivrutti Laxman Jarad along with the standing crop of sugarcane located in Shindavane. During this transaction the owner of the land and the purchaser of the land had decided to donate the sugarcane from the said land as fodder to the cattle of the needy farmers. According to the news item, Shri Nivrutti Jarad appealed to the farmers in the vicinity to collect the sugarcane for their cattle. In response to his appeal farmers from Shindavane, Valti and Waghapur carried the sugarcane for their cattle. The farmers relieved due to the provision of fodder in mid-summer. Shri Santosh Kanchan, Ex. President, Uruli Kanchan Cooperative Society said that “after the sale of land was completed they all decided to distribute the sugarcane crop on the land for cattle of the farmers in Vicinity. Accordingly, Rs.2.25 to 2.50 worth of sugarcane was donated for the cattle. They feel gratified after resolving the need of fodder in the summer for the cattle of farmers in vicinity to some extent”.

Denying the impugned news item, the complainant has stated that the news narrates how two alleged, self-proclaimed and imposters of aid to society have given away the sugarcane crop cultivated over 2.5 acres of land as charity for the cattle in drought struck area post the purchase of part of the said land (Gut No. 419, Village Shindavane, Taluka Haveli, District Pune). The complainant has further stated that the imposter namely; Alankar Kanchan and Santosh Kanchan are defamed and notoriously known land mafias in their vicinity. He has further stated that the said land measuring 7.15 acres is ancestral in nature and till date undivided amongst the legal heirs. The partition suit for partition and separate possession of land is pending in the court of law since 2011 (Suit No. RCS 201028/2011), which has been filed by his elder brother Shri Nivrutti Jarad. He has also stated that his brother, Shri Nivrutti Jarad has illegally, without the consent of co-owners or the consent of the court sold the title of his share in the land to Shri Alankar Kanchan and Shri Santosh Kanchan. According to the complainant, the fact remains true to the date that the said land is in his legal possession vide an irrevocable power of attorney granted by all the co-owners of the said land including Shri Nivrutti Jarad to him. The entire

land of gut no 419 is in his (complainant's) possession and he has cultivated Sugar Cane crops on the said land. The entire crop was and is till date with him and a part of which was robbed by the people named in the news. The complainant has further stated that on 19 May 2018 Santosh Kanchan, Alankaar Kanchan acting hand in glove with Nivrutti Jarad and 20-25 accomplices invaded the land in his possession in gut no 419, Shindavane village and robbed away approximately 3 acres of sugarcane crop. In the process they have also manhandled the women of his family. The mob was armed. He has also stated that he has filed police complaints at the local police station immediately after the incident and the matter is under investigation till date. On 23 May 2018 he was shocked to read the said falsified and totally concocted news in respectable newspaper like Sakal. He tried to contact the reporter of the said news named Shri Sagar Jarande from Sakal newspaper, but he hung up the phone without giving any clarification. Hence after lot of turmoil and mental harassment from police department, press, local goons and mafias he complained about the fake/paid news to the editor of Sakal newspaper on 26.7.2018. After the said complaint to the editor, Shri Sambhaji Patil, the reporter of the news Shri Sagar Jarande called him and said "they will talk" (threatening tone). Till date he has not received any clarification or response from Sakal newspaper.

Hon'ble Chairman, Press Council of India condoned the delay in filing the complaint vide Order dated 25.10.2018.

A Show-Cause Notice was issued to the Editor, Sakal, Pune on 8.11.2018.

Written Statement

The Editor, Sakal vide his written statement dated 17.12.2018 while denying the allegation levelled in the complaint has stated that the said publications are made in good faith and for public good. According to the respondent, the news published by Sakal is substantially true reports of proceedings of Court, Judicial Authorities or Information obtained from Government Institutions, police department or other sources. The respondent has further stated that there is a suit for partition an separate possession of land is pending in the court of law since 2011 (Suit No. RCS 201028/2011) in respect of land on which news was published, as such Hon'ble Council has no jurisdiction to entertain this complaint and hold inquiry. The respondent has also stated that he did not receive any letter from the complainant, therefore, question of replying the same does not arise. According to the respondent, the complainant has not filed complaint within the period as prescribed by law and the complainant has not stated any grounds for the delay in filing the complaint within the period prescribed much less sufficient cause condone the delay and entertain the complaint. He has requested the Council to dismiss the complaint.

Counter Comments

The complainant vide his undated counter comments while reiterating his complaint has denied the written statement stating that the Reporter, Shri Sagar Jarande of respondent newspaper was well aware of the fact that the partition suit RCS 201028/2011 is pending in the court of law and this information has been displayed on the said disputed land on a large size board (at each corner and at clearly visible locations of Gut No.419: disputed land). Therefore, respondent's statement that the matter is pending and Hon'ble PCI has no jurisdiction to entertain this complaint and hold inquiry is objectionable. The complainant has alleged that

the respondent wilfully chosen to ignore the ground reality and published the news in wrongful manner. The complainant has stated that the respondent neither contacted him or co-owner of the said land nor he was present at the said location on the said date, nor did he and co-owner permit anybody to enter in the said land owned and possessed by him. 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 25.2.2020 at New Delhi.

The complainant is aggrieved by the publication of a news in its issue dated 23rd of May, 2018 in the respondent newspaper, Sakal. The complainant is represented by his son, Dr. Yuvraj Jarad. Ms. Shruti Dixit and Ms. Neela Gokhale, Advocates appear on behalf of the respondent newspaper.

In the facts and circumstances of the case, the Inquiry Committee gives liberty to the complainant to provide his version to the editor of the respondent newspaper within four weeks from today. The complainant doing so, the respondent newspaper shall publish the same within two weeks from the date of receipt of the version. The respondent shall be at liberty to do necessary editing in the version given by the complainant.

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 Committee and decides to dispose of the complaint with aforesaid directions.

Press Council of India

S.No. 34

F.No.14/252/19-20-PCI.

Complainant

Shri Narendra Lalchand Mehta,
MLA, Mira-Bhayandar,
Thane (Maharashtra)

Respondent

The Editor,
Lakshyadhari, Hindi weekly,
Thane (Maharashtra)

Adjudication dated 21.09.2020

This complaint dated 25.7.2019 has been filed by Shri Narendra Lalchand Mehta, MLA, Mira-Bhayandar, District Thane, Maharashtra against the Editor, Lakshyadhari, Hindi weekly, Thane for allegedly publishing defamatory news item under the caption “नरेन्द्र मटन खा!” in its issue dated 12.7.2019-18.7.2019.

It is reported in the impugned news item that the former Mayor, Ms. Geeta Jain, who banned the sale of meat during holy month of ‘Paryushan’ has been openly challenged by Shri Ajaj Khatib, a chicken eater, who has now been embraced by the BJP. With a view to take vote of minorities in next assembly election, Shri Narendra Mehta, BJP’s MLA has knelt down in front of Shri Khatib to appease minorities, due to which there is resentment among the public. Shri Khatib joining BJP has evoked lot of resentment in Jain society towards BJP. Ms. Geeta Jain will raise this issue against Shri Narendra Mehta in the election.

The complainant has alleged that he is vegetarian but the respondent published the impugned news item under a conspiracy so as to tarnish his image in the upcoming election. The complainant has stated a newspaper should not publish any material which hurts anyone's religious sentiments. The complainant has alleged that the respondent deliberately published inappropriate material and used offensive language against him in the impugned news item.

The complainant drew the attention of the respondent towards the impugned news item on 16.7.2019 but received no reply. He has requested the Council to take necessary action in the matter.

A show-cause notice was issued to the Editor, Lakshyadhari, Thane on 8.8.2019.

Written Statement

The Editor, Lakshyadhari vide his written statement dated 26.8.2019 while denying the allegation levelled in the complaint has stated that as the caption of the news item ended with exclamatory sign, their purpose was only to create curiosity among the readers and to make the news interesting and his motive was not to hurt any religion, community or complainant. The respondent has further stated that a

proposal was brought by former BJP leader and Mayor, Ms. Geeta Jain to close down the slaughterhouse during the month of “Holy Paryushan” in the year 2015, and the news was published by him. At that time, Shri Ajaj Khateeb had opposed that proposal by waving the chicken in the front of Municipal Office. According to the respondent, after joining the BJP by Shri Ajaj Khateeb, he has published the news in an interesting manner citing old facts.

The respondent has submitted that after receiving the objection from the complainant, he published the same in his newspaper issue dated 26.7.2019 under the caption “नरेंद्र ने कहा, मैं शाकाहारी हूँ, मेरी धार्मिक भावना आहत हुई है” expressing honour and regret. The respondent has stated that the complainant is respectable for them and they wish him a bright future.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. While the complainant is represented by Shri Vyas Kumar Rawal; Shri Ravindra Upadhyay, Editor, Shri Chaturbhuj Pandey and Shri Rohit Suvarna appeared on behalf of the respondent newspaper.

The Inquiry Committee has heard the authorized representative of the complainant and Mr. Ravindra Upadhyay, the editor of the respondent newspaper. Mr. Ravindra Upadhyay states that the newspaper shall publish regret and apology for the news items published in relation to the complainant in its issue dated 12.7.2019 & 18.7.2019. This satisfies the complainant.

In view of the aforesaid assurance, the Inquiry Committee is not inclined to give any further direction. The respondent, however, after publication of regret and apology shall furnish a copy of the same to the Secretariat of the Council and also send the same to the complainant.

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 Committee and decides to dispose of the complaint with the aforesaid observations.

Press Council of India

S.No. 35

File no. 14/296/18-19/PCI

Complainant

Shri Sanjay S. Kamble,
12/290, Shaniwar Peth,
Pune, Maharashtra

Respondent

The Editor,
Lokmanthan,
Maharashtra

Adjudication dated 21.09.2020

This complaint dated 11.9.2018 has been filed by Shri Sanjay S. Kamble, Pune, Maharashtra through his advocate against the Editor, Lokmanthan, Maharashtra alleging the publication of Mumbai-Kalyan Matka betting/gaming charts in its issues dated 11.7.2018 and 21.7.2018. The Ministry of Information and Broadcasting has also forwarded the same complaint with a news clipping dated 9.6.2018.

According to the complainant, the Matka is an illegal form of gambling, which is quite popular in various parts of Maharashtra and newspaper "Lokmanthan" being published from Ahmednagar, Pune, Nashik, Satara and Mumbai, Maharashtra is indulging in activities which are illegal and also against journalistic ethics. In order to promote the circulation of the said newspaper and to promote illegal activities of Matka gambling for commercial consideration, the results of previous day charts are published and numbers for the next day are also shown so as to help the common man to guess the winning numbers and bet for it. The numbers published in the Matka number chart which is also made available on the internet is the same as is being published by the said newspaper under the garb of "विधिलिखित पंचांग." The complainant submitted that he is aggrieved by irresponsible acts of journalism practised by the editor of the newspaper.

The complainant submitted that as per Section 12 A of the Bombay Prevention of Gambling Act, 1887, a Police Officer may apprehend any person who prints, publishes, sells, distributes or in any manner circulates any newspaper, news sheet or other document or any news or information with the intention of aiding or facilitating gaming and any such person shall, on conviction, be punishable. The complainant also referred to the decision of Hon'ble High Court of Bombay in the similar cases, whereby it directed not to publish such numbers which amount to gambling. The complainant further referred to one of the decisions taken by Press Council in 2013, wherein Hon'ble Council warned the newspaper not to publish such mysterious numbers to promote illegal Matka gambling.

The complainant vide letter dated 18.8.2018 drew the attention of the respondent in this regard. The respondent intentionally did not receive the said representation. However, the complainant further submitted that he had received calls from the respondent Editor from the phone number i.e. 9822254475 regarding said representation sent by him.

A Show Cause Notice was issued to the respondent newspaper, Lokmanthan on 6.11.2018.

Written Statement

The respondent- Shri Ashok Sonawane, Editor, Lokmanthan, Ahmednagar vide his written statement dated 26.11.2018 while denying the allegations has stated that the complainant has no locus-standi to file such bogus, false and illegal complaint against the newspaper. The respondent submitted that the complainant sent a letter dated 18.8.2018 regarding publication of “विधिलिखित पंचांग” and it is alleged by the complainant that it is known to be “Mataka”. In response thereto, they issued notice dated 10.9.2018 through advocate to the complainant. The postman intimated two times but the notice was not received by the complainant and therefore report marked unclaimed and returned. According to the respondent, the complainant is the political person of Bahujan Samaj Party in Pune and he is working under the control of M.P., Shri Dilip Gandhi. The respondent further submitted that he had filed complaint against Shri Dilip Gandhi in 2014 before the Cyber Crime Police, Ahmednagar and Superintendent of Police, Ahmednagar and has been publishing true facts of Nagar Urban Bank for corruption and has demanded inquiry of Bank acting beyond jurisdiction. The inquiry is pending in various places. He has requested the Council to reject the complaint.

Counter Comments

The complainant, Shri Sanjay S. Kamble has filed Counter Comments dated 7.1.2019 through his advocates, Shri Balendu Shekhar & Shri Sriansh Prakash. The Counter comments states that the respondents have deliberately chosen to follow a path of publishing matka numbers thereby promoting illegal gambling and have disobeyed the norms of journalistic conduct which have been framed by the Press Council of India. The respondent ought not to have published such numbers and promoted illegal gambling. The complainant has submitted that the alleged respondent’s Notice dated 10.9.2018 sent to the complainant has not been delivered to his address. He has further submitted that he does not have any idea about respondent’s complaint being filed against M.P., Shri Dilip Gandhi in 2014. The complainant has further requested the Council to pass such order as it may deem fit and proper in the interest of case.

Further reply from respondent

In response to the Counter Comments, the respondent, Shri Ashok Vitthal Sonwane vide letter dated 4.2.2019 while reiterating written statement has submitted that that the complainant has demanded Rs. 5 Lakh from one of the Officers of Lokmanthan in view of this complaint. The respondent has submitted that the newspaper does not serve his personal interest in the matter as all the articles related to this matter were signed by various persons. He has also filed a complaint against the complainant U/S 499, 500 of IPC before Kotwali Police Station, Ahmednagar and the same is pending. He has further requested the Council to reject the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. While the complainant appeared in person along with his Counsel S/Shri B. Shekhar, Ravi Gopal and Rajkumar Maurya, the respondent is represented by Shri Ashok Vitthal Sonwane, Editor of respondent newspaper.

The complainant is aggrieved by the various numbers published in the respondent newspaper in its issue dated 11th of July 2018 and 21st of July, 2018. It is the allegation of the complainant that these figures are in fact, related to Matka bettings. The editor of the respondent newspaper, Mr. Ashok Vithal Sonwane appears on behalf of the respondent and submits that he shall not publish such figures in future in his newspaper. In view of the assurance given by him, the Inquiry Committee is not inclined to proceed in the matter any further. However, it directs the Superintendent of Police, Mumbai, Pune, Nasik, Sangli, Satara, Ahmed Nagar, Beed, Aurangabad, Parbhani, Buldala, Jalgaon, Nanded, Latur and Osmanabad to ensure that the aforesaid assurance given by the editor is carried out in all the editions published within their territorial area.

The Inquiry Committee would expect Director General of Police of the State of Maharashtra and Superintendent of Police of the districts to bring to the notice of the Council any such publication in any of the newspapers in the State of Maharashtra.

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 Committee and decides to dispose of the complaint with aforesaid directions.

Press Council of India

S.No.36

F.No.14/193/19-20PCI.

Complainant

Shri Anil Kumar,
Katihar,
Bihar.

Respondent

Editor,
Dainik Hindustan,
Purnia, Bihar.

Adjudication dated 21.09.2020

This complaint dated 22.6.2019 has been filed by Shri Anil Kumar, Katihar, Bihar against the Editor, Dainik Hindustan, Purnia, Bihar for allegedly publishing objectionable and defamatory news items under the captions “फर्जी हस्ताक्षरकर लगान निर्धारण की कोशिश” and “भूमाफिया के खिलाफ तैयारी शुरू-” in its issues dated 8.5.2019 and 10.5.2019 respectively.

It has been reported in the impugned news item dated 8.5.2019 that the police has registered an FIR against three people, who tried to fix the rent of government land by doing forged signature of the Circle Officer of Purnia East. The Circle Officer, Shri Deepak Kumar said that he took charge on March 5th in Purnia, while fake documents have been released on March 2. It has been further reported that one accused in this case, Shri Anil Kumar was sent to the jail earlier also for tampering the government documents.

It has been reported in the impugned news item dated 10.5.2019 that the police started investigation in the matter of forged signature of Circle Officer, Shri Deepak Kumar. It has been further reported that the Circle officer said that they are now taking action against the land mafia, who are trying to interfere on the government land. It has also been reported that the accused had prepared fake documents, which belongs to a woman, who is no more and the said land is now being used by the Government having office of the Fire Brigade. The land mafias had fixed the price of the land with many people, but after the news in this regard was published, all the buyers enquired about the land and saved themselves.

The complainant has alleged that the respondent has published defamatory news items without any evidence. According to the complainant, a news cannot be published only by mere words of an officer. The news should be published after investigation and on the basis of evidence but the respondent failed to do so. The respondent has not done any pre-publication verification.

The complainant drew the attention of the respondent towards the impugned news items on 12.5.2019, 14.5.2019, 20.5.2019 and 4.6.2019 but to no avail.

No Reply

A show-cause notice was issued to the Editor, Dainik Hindustan, Purnia, Bihar on 28.8.2019 but no reply has been received despite issuance of reminder dated 4.10.2019.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. While the complainant appeared in person, there was no appearance on behalf of the respondent newspaper.

The Inquiry Committee has heard the complainant and also perused the impugned news item. The Inquiry Committee is of the opinion that the grievance of the complainant is misconceived 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 Committee and decides to dismiss the complaint.

Press Council of India

S.No.37

F.No.14/103/19-20-PCI.

Complainant

Shri K.Ravikumar,
Founder Secretary,
Aikya Kerala Grandhasala &
Vayanasala,
Kollam (Kerala)

Respondent

The Editor,
Malayala Manorama,
Kottayam, Kerala

The Editor,
Malayala Manorama,
Kollam, Kerala

Adjudication dated 21.09.2020

This complaint dated 6.5.2019 has been filed by Shri K. Ravikumar, Founder Secretary, Aikya Kerala Grandhasala & Vayanasala, Changankulangara, Kerala against the Editor, Malayala Manorama, Kottayam and Kollam editions for publishing of material provided by him i.e. "Court Notice" in an insignificant place at Page 15 instead of Page No.2 in its issue dated 28.3.2019.

According to the complainant, he is the Founder Secretary of Aikya Kerala Grandhshala at Changankulangara and he filed O.S.No.11/2019 before the Hon'ble Subordinate Judges' Court of Karunagappally against Aikya Kerla Grandhshala, Changankulangra for getting back the administration of the Grandhasala and the same was listed on 9.4.2019. The complainant has stated that since the suit was in public interest, he wanted to invite interested persons for appearance before the court on that day. For the purpose, he sent a Notice to the respondent for publication in their newspaper and paid advance Rs.5,000/- and after receiving the bill of Rs.6,424/-, he paid the remaining amount. The complainant has alleged that the respondent published the Notice on 28.3.2019 at Page 15 of the newspaper instead of Page 2, which is usually allotted to the Taluk based news items. The complainant has stated that the font size of the publication was too small for reading. The complainant further stated that due to non-publication of material on a proper place no one appeared before the court for contesting the case.

The complainant submitted that he has sent a registered notice to the Kottayam edition of the respondent on 8.4.2019 with a request to publish the same in a significant and conspicuous place or else an amount of Rs.5,924/- after deducting of Rs.500/- for the said publication from Rs.6,424/- be returned but nothing has been received.

The complainant also submitted that the Editor of Kollam edition published a news item in favour of the President, Aikya Kerala Grandhasala & Vayanasala on 30.4.2019 to promote their illegal atrocities as a challenge against the judicial

proceedings pending before the court. English translation of the news item dated 30.4.2019 as provided by the complainant read as follows:

“Vacation camp started from the Aikya Kerala Grandhasala, Changankulangara for children’ under ‘Balavedi’ for singing and enjoyment. The camp has inaugurated by the member of District Panchayath Shri Anil S. Kallelibhagom. An inauguration about the allotment of laptop and LCD Project are under the lighting project of District Panchayath also inaugurated by Shri Anil S. Kallelibhagom. Grandhasala Vice-President, Shri Krishnakumar has presided over the function. The Secretary, M. Ramachandran Pillai, Librarian Ms. Mayadevi were spoken. Camp will be concluded at May 2. The concluding session will be inaugurated by Shri V. Vijayakumar, Taluk Library Council Secretary.”

The complainant vide letter dated 3.5.2019 drew the attention of the respondents towards the matter but received no response.

Show Cause Notices were issued to the Editor, Malayala Manorama, Kottayam and Kollam editions on 21.6.2019 and in the absence of any reply reminders dated 31.7.2019 were issued to them.

Written Statement

The respondent vide his written statement dated 13.8.2019 has stated that the allegations levelled by the complainant are totally false, incorrect and baseless. He has submitted that all the news and advertisement before publishing are thoroughly examined and information provided to them on how and where the advertisement has to be published purely based on the requirements of the party. The respondent further submitted that there was no instruction for any position with regard to font size and on which page it has to be published. Moreover, the complainant was charged at a prevailing rate only for the said size. According to the respondent, the averment raised by the complainant regarding deliberately given the court advertisement in an unimportant area of their daily and claims refund is because the complainant is under the impression that they (respondents) are siding with his opposing faction.

With regard to publication of news item dated 30.4.2019, the respondent has stated that the matter in issue is concerning a conflict between two factions at the Grandhasala and the said so called advertisement the paper published was made on specific instruction given by the President, Aikya Kerala Grandhasala & Vayanasala. Hence, the reason for filing of the instant complaint is merely personal dispute and enmity between the complainant and the President, Aikya Kerala Grandhasala & Vayanasala and they (respondents) are being unnecessarily dragged in the matter. The respondent has further stated that there is no nexus between the matters published by them for the complainant and the President, Aikya Kerala Grandhasala & Vayanasala. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi.

The complainant is aggrieved by the publication of court notice provided by him at Page No.15 of the respondent newspaper in its issue dated 28.3.2019. According to the complainant, it ought to have been published at Page No. 2 of the newspaper. Despite service of notice, the complainant has not chosen to appear and has filed an application for exemption from personal appearance and prayed that the matter be decided on the basis of the materials on record.

The Inquiry Committee has perused the complaint, the written statement and other connected papers and has also heard Mr. Millu Dandapani, Advocate for Respondents 1 & 2. There is nothing on record to show that the complainant or his agent had given the court notice for publication on a particular page of the newspaper. In that view of the matter, the respondent did not err in publishing the same at page No.15 of the newspaper.

The Inquiry Committee is of the opinion that the grievance of the complainant is misconceived 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 Committee and decides to dismiss the complaint.

Press Council of India

S.No. 38

F.No.14/571/18-19-PCI.

Complainant

Dr. Kamlesh Bhandari,
Principal,
P.M.B. Gujarati Commerce College,
Indore (M.P.).

Respondent

The Editor,
Patrika,
Indore (M.P.).

Adjudication dated 21.09.2020

This complaint dated 4.1.2019 has been filed by Dr. Kamlesh Bhandari, Principal, P.M.B. Gujarati Commerce College, Indore (M.P.) against the Editor, Patrika, Indore (M.P.) for allegedly publishing false, misleading and defamatory news item under the caption “पीएमबी सीनियरों ने-गुजराती कालेज का मामला-पीटा, रैगिंग की शिकायत दबाने में जुटा कालेज” in its issue dated 17.11.2018.

It was reported in the impugned news item that a student of Gujarati Commerce College complained of ragging and assaulting against the seniors. The College Management is covering up the incident instead of investigating it.

It was further reported that after complaining to the UGC, the Devi Ahilya University has asked the College Management to submit an investigation report within 48 hours. According to the impugned news item, even after the complaint was filed in the UGC, the College Management did not think it appropriate to give information to the University. It was also reported that the University is not satisfied with the reply of the College.

Denying the allegations levelled in the impugned news item, the complainant alleged that the impugned news item is totally false, fabricated and imaginary. The complainant stated that neither any student of the college complained about ragging nor Devi Ahilya University asked for filing the investigation report within 48 hours. According to the complainant, they received information from UGC regarding ragging by a B.Com second year student. The college took the information seriously and informed the UGC that no such student of that name is studying in the college, therefore, there is no question of taking any action. Further, the UGC did not give any information about the person who had complained. The complainant has alleged that the image of the college has been damaged due to publication of the impugned news item. The complainant has further stated that the college always obeyed the zero tolerance policy and never tried to cover the complaints related to ragging.

A show-cause notice was issued to the Editor, Patrika, Indore on 11.2.2019 followed by a reminder dated 24.1.2020.

Written Statement

The respondent Editor, Patrika vide his written statement dated 25.2.2020 while denying the allegation stated that the complainant filed a false and baseless complaint, which is prima-facie liable to be dismissed. The respondent further stated that the impugned news item was published in good faith on the basis of a complaint made to the University Grants Commission (UGC) and reply thereto sought by the UGC from the college. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi.

Despite service of notice, the complainant has not chosen to appear. The respondent has filed its reply and is represented by Mr. Parikshit Singh, Advocate. In the written statement, the respondent has stated that the news in question has been published taking into account the direction contained in the order of the UGC and the report of 'Devi Ahiliya University'.

In the absence of the complainant, the Inquiry Committee is not inclined to proceed in the matter any further and recommends for disposal of 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. 39

F.No.14/502/18-19-PCI.

Complainant

Shri Harbans Singh Sandhu,
Mumbai,
Maharashtra.

Respondent

The Editor,
Saqib Times,
Mumbai, Maharashtra

Adjudication dated 21.09.2020

This complaint dated 13.1.2019 has been filed by Shri Babloo Singh Sandhu on behalf of his father Shri Harbans Singh Sandhu, Mumbai against the Editor, Saqib Times, Mumbai for allegedly publishing false, misleading and defamatory news item under the caption “झोल के चक्कर में नियमों की अनदेखी” with sub-heading “वरिष्ठ नागरिक हो चुके हरभजन सिंग स्वराज्य हिन्द बिल्डिंग में मनमानी करते हैं” along with photograph in its issue dated 13.1.2019.

It is reported in the impugned news item that Shri Harbhajan Singh, Secretary of a seven story building near Malvani Bus Stand is working arbitrarily in the building by violating the rules. As per information, no agent can give room on rent without permission of Shri Harbhajan. One person, on condition of anonymity, said that Shri Harbhajan is taking double maintenance charges. The Maharashtra Housing and Area Development Authority (MHADA) recovers Rs.2,000/- for maintenance while the society is charging Rs.1,700/- separately. It has been further reported that Shri Harbhajan was even accused of scuffling with a girl in the society for which a complaint has been registered in Malvani Police Station. It is also reported that as per sources, flat No.321 has not been allotted to anyone and it comes under MHADA but the society has been using it as their office. The correspondent of Sakib Times has tried to meet Shri Harbhajan to know the facts of allegations levelled against him, but could not succeed.

Denying the allegations, the complainant has alleged that the respondent published highly objectionable and defamatory news item. The complainant has stated that he is working hard for the wellbeing of the society and also going against local agents who are spoiling society's peace. The MHADA is also well aware of his hard work towards society's duty. The complainant has alleged that the respondent published defamatory news item without any proof and hurts his sentiments.

The complainant issued an undated legal notice to the respondent with a request to publish unconditional apology but received no response. He has requested the Council to take necessary action in the matter.

A show-cause notice was issued to the Editor, Sakib Times, Mumbai on 15.2.2019.

Written Statement

Shri Rizwan Siddique, Editor, Saqib Times, Mumbai vide his written statement dated 20.3.2019 while denying the allegation levelled in the complaint has

stated that they have been continuously receiving complaint of extortion and harassment by the complainant through local residents of MHADA, Malwani, Malad (W), Mumbai. One of said resident also wrote a complaint to him regarding harassment and illegal activity of extortion done by the complainant. According to the respondent, first they tried to avoid the matter, but thereafter they again received complaint from other local residents informing and giving them copies of N.C. complaints lodged against the complainant at Malwani Police Station. There were complaints by lady members of the society against the complainant of harassment and extortion. When they tried to inquire the matter with the complainant, he refused to meet them. They, therefore, were constrained to publish the news against said illegal activities of the complainant. The respondent has further stated that they had not published anything wrong and the impugned news item published on the basis of complaints. Also there is no word, gesture or statement made in the impugned news item, which is targeting personal image or prestige of the complainant. The respondent has also stated that the contents of the impugned news item are limited to the scope of complaints received, informed and verified against him. The respondent has alleged that after publishing the impugned news item, the complainant approached him and threatened of dire consequences as that of physical assault and tendering apology in the newspaper and when he refused, the complainant threatened to lodge complaint against them, hence he lodged this false complaint with Hon'ble Press Council. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. The complainant appeared in person and the respondent newspaper is represented by its Editor, Shri Rizwan Ahmed Siddiqui.

The complainant is aggrieved by the publication of a news item alongwith his photograph in the issue dated 13.1.2019 in the respondent newspaper, "Saqib Times". The Inquiry Committee has heard the complainant as also the editor of the respondent newspaper, Mr. Rizwan Ahmed Siddiqui. The editor of the respondent newspaper offered to the complainant to give his version for publication of the same in the newspaper. The complainant states that he is not willing to give his version.

In view of the aforesaid, the Inquiry Committee 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. 40

F.No.14/220/18-19-PCI.

Complainant

Shri Rakesh Manocha,
Shri Rajesh Manocha,
Shri Ramesh Manocha,
Jabalpur,
Madhya Pradesh.

Respondent

The Editor,
Dainik Bhaskar,
Jabalpur,
Madhya Pradesh.

Adjudication dated 21.09.2020

This joint undated complaint, received in the Secretariat of the Council on 29.6.2018, has been filed by S/Shri Rakesh Manocha, Rajesh Manocha and Shri Ramesh Manocha, Jabalpur, Madhya Pradesh against the Editor, Dainik Bhaskar, Jabalpur for allegedly publishing false, fabricated and defamatory news item under the caption “रास्ता नहीं मिल पाया तो रेलवे की जमीन पर रोड बनाकर बसा दी अर्जुन देव कालोनी” in its issue dated 15.6.2018.

It is reported in the impugned news item that the Town and Country Planning guidelines have been ignored in the construction of the Arjun Dev Colony being built by the builders, S/Shri Rakesh Manocha, Rajesh Manocha, Ramesh Manocha and G.S. Bhasin at Polipathar on Gwalighat Road. Despite knowing the facts, the Municipal authorities have stamped the legitimacy, while there is no proper way to reach the colony. Apart from this, the matter of this land is pending consideration in the court of law. It is further reported that in the wake of these cases and the illegal road, Town & Country Planning has given clear instructions that the permission given for the development of the colony will be deemed to be nullified if the railways does not allow to take their way out of the land. The railway department says that they have not given any permission to make road on its land leading to the colony. According to the sources, when many people bought the plot in the colony, the builders started worrying about the main road in the colony. Someone complained to the Railway Department about the illegal colony. The Railway Department immediately put a gate on railway line. Enraged with the action taken by the Railway, the henchmen of the builder broke the gate and constructed the road from the railway line to the colony.

While denying the allegation levelled in the impugned news item, the complainants have alleged that the respondent published false and fabricated news item only to harm their reputation and trying to grab the valuable property. According to the complainants, they have purchased the land at Polipathar, Jabalpur from Shri Rajesh Chugh on 28.10.2005 by two registered sale deed and their name are duly registered in the revenue record. The complainants have informed that S/Shri Krishna Kant Tiwari, Santosh Tiwari, Nagendra Kumar Tiwari and Smt. Bhanumati and Smt. Krishna Kumari executed power of attorney in favour of Smt. Seema Agrawal and Shri Girish Pandey. The complainants have further informed that Ms. Seema Agrawal is wife of the Owner of Dainik Bhaskar, Shri Kailash Agrawal and Shri Girish Pandey is employee of Dainik Bhaskar. The complainants have

alleged that Smt. Agrawal and Shri Girish Pandey are involved in extorting the money from land owners by disputing the property and publishing the false news against the land owners. The complainants have stated that Smt. Seema Agrawal and Shri Girish Pandey filed a Civil Suit 34A/2013 before the Civil Judge Class I Jabalpur in respect to property situated at Polipathar on the basis of power of attorney and therefore they (complainants and others) filed the Civil Revision No.545/2014 before Hon'ble High Court and the Hon'ble High Court was pleased to stay the proceeding of the civil court on 30.1.2015 and matter is still pending before Hon'ble High Court. According to the complainants, they have not constructed any road on the land of railway but false news has been published only just to dispute the property as Smt. Seema Agrawal and Shri Girish Pandey are continuously raising unlawful demand through land brokers from the land owners to settle the matter. The complainants have alleged that the false and fabricated news has been published only just to tarnish their reputation and to extort the money illegally and therefore Editor has also committed criminal conspiracy with Smt. Seema Agrawal and Shri Girish Pandey. The complainants have stated that the respondent never tried to contact them before publishing the impugned news item, where their names were specifically mentioned with an intention to defame them.

The complainant drew the attention of the respondent-editor towards the impugned news vide his undated letter but received no reply. They have requested the Council to take necessary action in the matter.

Show-cause notice was issued to the Editor, Dainik Bhaskar, Jabalpur on 12.9.2018.

Written Statement

The Editor, Dainik Bhaskar, Jabalpur vide his written statement dated 2.10.2018 while denying the allegation has alleged that the complainants filed this complaint under a conspiracy levelling false and baseless allegations with a view to pressurise him not to publish the news item. The respondent has stated that the impugned news item was published after thorough enquiry from the Sr. Divisional Engineer of Railway Department, Shri Brajesh Paliwal and Building Officer of Municipal Corporation, Shri Ajay Sharma along with their version. The respondent has submitted that the Railway Officer gave information that the railway did not give any no objection certificate for road construction to the complainants, but on receipt of the complaint, a letter dated 21.6.2018 was sent to them for vacating the railway's encroached land. Thereafter, information was received from the Town and Village Investment Office, Jabalpur and it was intimated that the development permission of the said land has been given to the complainant by the Director, Town and Village Investments with a condition to take a clearance from the Railway Department for using of Railway land. The respondent has stated that the publication of the news was done without prejudice and the entire journalistic procedure was followed. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi.

This complaint has been filed by Shri Rakesh Manocha and his two brothers aggrieved by the publication of a news item in issue dated 15th of June, 2018 in the newspaper, Dainik Bhaskar. Mr. Rakesh Manocha appears on behalf of the complainants and has drawn the attention of the Inquiry Committee to the news and points out that the complainants have been described as the builders, which is factually incorrect.

On inquiry he is unable to point out that he ever drawn the attention of the newspaper about the said mistake.

Mr. Ajit Kumar, Correspondent of Dainik Bhaskar appears on behalf of the respondent.

In the facts and circumstances of the case, the Inquiry Committee gives liberty to the complainants to bring the aforesaid fact to the notice of the editor of respondent newspaper within two weeks from the receipt of the order. The editor of the respondent newspaper shall consider publishing the same within two weeks of its receipt.

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 Committee and decides to dispose of the complaint with aforesaid directions.

PRESS COUNCIL OF INDIA

S.No.41

F.No.14/504/18-19-PCI

Complainant

Dr. Ram Vilas Yadav,
Additional Secretary,
Department of Village Development,
Government of Uttrakhand,
Dehradun, Uttrakhand.

Respondent

Shri Hemant Kumar Mishra,
Editor/Journalist,
Crime Review,
Lucknow (U.P.)

Adjudication dated 21.09.2020

This complaint dated 22.12.2018 has been filed by Dr. Ram Vilas Yadav, Additional Secretary, Department of Village Development, Government of Uttrakhand, Dehradun, Uttrakhand against Shri Hemant Kumar Mishra, Editor/Journalist, Crime Review, Lucknow (U.P.) for allegedly harassing and blackmailing him.

According to the complainant, he worked with the Government of U.P. till the year 2016 and now deputed in the Government of Uttrakhand. His wife is a school teacher in a private school and also running an NGO. The complainant informed that his wife kept a caretaker, Shri Upendra Singh, resident of Gazipur for helping her during his tenure with the Govt. of U.P. Shri Upendra Singh was working with utmost duty and dedication. The complainant when got discharged from his duties and moved to Uttarakhand, the faithfulness of Shri Upendra Singh towards the complainant's family was changed and with the connivance of the respondent, Shri Hemant Kumar Mishra started developing bad intentions towards him. The complainant also stated that Shri Hemant Kumar Mishra with the connivance of Shri Upendra Singh got his family photos and also with the intention to blackmail him; he posted his family photos on facebook by using abusive language and also shared with his familiar officers and relatives on WhatsApp and thereby harassing him. The complainant alleged that his social reputation has been tremendously damaged. The complainant further alleged that the money is being demanded by the respondent regularly.

Notice for Comments dated 21.1.2019 was issued to Shri Hemant Kumar Mishra, Editor/Journalist, Crime Review, Lucknow.

Comments

The respondent-Shri Hemant Kumar Mishra, Editor, Crime Review, Lucknow vide his comments 15.2.2019 while denying the allegation of the complainant alleged that the complainant is a corrupt and debauched person. The respondent further alleged that the complainant had illegitimate relations with the wife and daughter of one Shri Himanshu Shekhar Tripathi therefore, the complainant has illegally appointed and promoted Shri Himanshu Shekhar Tripathi. In this regard, a complaint was filed by him (respondent) to the Hon'ble Chief Minister and others. The respondent further submitted that he has also filed complaints to the Hon'ble Prime Minister and others against the complainant for having property worth Rs. one crore. In this regard, Prime Minister Officer vide letter dated 23.7.2018 intimated that appropriate action is being taken in the matter. The respondent

alleged that the complainant earlier also attacked him and in this regard he filed a case No. 0267/2018 under section 504 and 506 of IPC in Vikas Nagar Police Station.

Counter Comments

The complainant vide his counter comments dated 25/04/2019 while reiterating his complaint alleged that the complaints filed against him by the respondent to various authorities are without evidence and language used by the respondent therein is also not decent. The complainant stated that he has no issue with all the complaints filed against him because everyone holds the right to complain against any officer. The complainant further stated that there have been numerous complaints to the authorities against the respondent by the local people for his wrong deeds. Besides, many criminal cases are also pending against the respondent in different police stations. The complainant reiterated that the respondent has posted the photographs of his wife, daughter and brother-in-law on facebook, twitter and other social media platforms with immoral and unparliamentarily captions which caused damaged to his reputation.

Further communications from Respondent

The respondent vide his letter dated 11.06.2019 has alleged that the reply of the complainant is based on false facts. The respondent submitted that a case No. 1939/2018 dated 30.08.2018 regarding corruption is pending consideration before Hon'ble Lokayukta of Uttar Pradesh. The respondent has further submitted that the complainant has filed a complaint No. 30/2019-20 before the Other Backward Class Commission, Uttrakhand, Dehradun of which the respondent came to know only after receiving Summon dated 17/05/2019 from the Commission. The respondent also submitted that the complainant has filed a complaint against him maliciously before Hon'ble Lokayukta, Lucknow, U.P. The respondent alleged that he is being threatened by the complainant through unknown people to withdraw all the complaints against him. According to the respondent, there is no case against him and he is a peaceful and responsible citizen and has a firm belief in the constitution of the country. The respondent has stated that the complaint has been presented with fabricated facts and figures.

Shri Hemant Kumar Mishra, respondent, Crime Review vide letter dated 22.8.2019 has stated that at the time of hearing on 20.8.2019, he was directed to appear with issue of the newspaper of one year 24.08.2019. The respondent expressed inability to appear on 24.8.2019 due to ill-health. He further stated that he will present issue of the newspaper before the Inquiry Committee on next date. The respondent also stated that he has never asked for any advertisement from any organisation. He submitted that the allegation that the construction of the house of complainant's brother-in-law was stopped by him is false as it was sealed by the Lucknow Development Authority.

Communications received from Complainant

The complainant vide communication dated 30.8.2019 and 11.1.2020 while reiterating the complaint submitted that the respondent along with his two associates had appeared before the Inquiry Committee on 20.8.2019. While the hearing of the matter was going on, the two of the associates made video of the

hearing. The complainant submitted that the video is being used by the editor to blackmail the officers, and general public.

The complainant vide communications dated 19.10.2019 and 20.10.2019 submitted that there is no publication of the Crime Review Weekly nor the respondent had submitted any copy of issue to the office of Information Department. The complainant further submitted that the respondent has been damaging his image by publishing objectionable post on WhatsApp and facebook. The respondent calls up his relatives and says that if the complainant helps him in office construction, he will withdraw all the complaints. The complainant further submitted that as per Press and Registration of Book Act, there could be only one owner/editor/publisher of the newspaper, while the fact is that the title "Crime Review" has already been allotted to one Shri Amar Singh Rathore, Gujarat. Moreover, there are lots of cases registered against the respondent editor.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi.

This complaint has been filed by Dr. Ram Vilas Yadav, Additional Secretary to the Government of Uttarakhand against Shri Hemant Kumar Mishra. Mr. Yadav is present in person. Despite service of notice, respondent has not chosen to appear.

By Order dated 28th August 2019, the respondent was directed to submit the Crime Review weekly of which he claims to be the editor, of the last one year. He has not chosen to do so.

It is the allegation of the complainant that the respondent had posted his family photos on Face Book and used abusive language against them. He has also shared those photos and abuses with his known officers and relatives on WhatsApp. The respondent claims to be a journalist and editor of Crime Review and his conduct of posting photographs of the complainant and his family members in the Facebook and forwarding the same to the officers acquainted with the complainant and relatives is unethical. Accordingly, the Inquiry Committee recommends that the Respondent, Hemant Kumar Mishra. Editor/Journalist be **Censured**.

A copy of this order be forwarded to the Director, Information & Public Relations, Government of Uttar Pradesh, the District Magistrate, Lucknow and Registrar of Newspapers for India for appropriate action.

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 **Censure** the respondent, Shri Hemant Kumar Mishra, Editor/Journalist.

Press Council of India

S. No. 42

F.No.14/560/18-19-PCI

Complainant

Shri Shiv Mohan Singh,
Executive Officer,
Nagar Panchayat Samdhan,
Kannauj (U.P.)

Respondent

The Editor,
Dainik Jagran,
Kanpur (U.P.)

Shri Vivek Kumar Gupta,
Computer Operator (Outsourcing)
Nagar Panchayat Samdhan,
Kannauj (U.P.)

Adjudication dated 21.09.2020

This joint complaint dated 9.1.2019 has been filed by Shri Shiv Mohan Singh, Executive Officer and Shri Vivek Kumar Gupta, Computer Operator (Outsourcing), Nagar Panchayat Samdhan, Kannauj (U.P.) against Dainik Jagran, Kanpur edition for allegedly publishing false and defamatory news item under the caption “ईओ पर छेडछाड व दबाव बनाने का आरोप” in its issue dated 8.1.2019.

It has been reported in the impugned news item that allegation of misbehaviour with a lady and thereafter pressurised her for settlement has been levelled against Executive Officer. In this regard, a complaint has been made to the Woman Commission and Chief Minister of U.P. It has been further reported that a resident of Ward No.3 of Nagar Panchayat Samdhan told that an application was filed for Prime Minister Shahri Awas Yojana. The officials have demanded Rs.20,000/- in the name of allotment. In this regard a complaint made to the Chief Minister and the District Collector on portal due to which the official Shri Vivek Gutpa and Executive Officer, Shri Shiv Mohan have animosity towards her. It has also been reported that first they pressurised her for signature and on denial they misbehaved and threatened her to kill. The impugned news item reported that the Executive Officer denied the allegation and told that allegation levelled against him with a view to defame him.

Denying the allegations levelled in the impugned news item, the complainants have alleged that the respondent published false and defamatory news with a view to blackmail them. The complainants have stated that no pre-publication verification was made before publishing the impugned news item. According to the complainants, the Gursahaiganj Bureau of Dainik Jagran, Shri K.K. Srivastava initially filed complaints on the portal of Chief Minister and higher government authorities against the officers regarding misbehaviour and threatened through a lady, resident of Ward No.3 and then extorts money from them in the name of settlement and gives them an affidavit of settlement.

The complainant vide his further letter dated 20.2.2019 has submitted that the respondent also published news items in the past under the captions “आवास

आवंटन में घालमेल, भडके अफसर” and “शिकायत पर अफसरों ने महिला को धमकाया” in its issues dated 18.4.2018 and 19.4.2018 respectively. The complainants have informed that Shri Srivastava is working as Clerk in a Government School and also getting salary from the government, which is against the rule. The complainants have alleged that Shri Srivastava now threatening them of dire consequences and pressurising them to withdraw the complaints filed by them before the Press Council of India and other government authorities.

The complainant vide his letter dated 9.1.2019 drew the attention of the respondent-editor, Dainik Jagran towards the impugned news item requesting him to take necessary action against Shri K.K. Srivastava but received no reply. They have requested the Council to take necessary action in the matter.

A show-cause notice was issued to the respondent-Editor, Dainik Jagran, Kanpur on 27.3.2019 and simultaneously a copy of the same was forwarded to the Counsel for the respondent.

Letter dated 20.8.2019 received from complainant (Shri Vivek Kumar Gupta)

Shri Vivek Kumar Gupta, while forwarding a letter dated 20.8.2019 signed by him on behalf of other complainant submitted that the respondent Editor, Dainik Jagran and his team are forcing them to withdraw the complaint filed before the Press Council of India. Even, the respondents are taking help of officers and political leaders to force them to withdraw the complaint. He has requested the Council to take action in the matter.

Letter dated 20.8.2019 received from one of the complainants (Shri Shiv Mohan)

Shri Shivmohan Singh, complainant vide letter dated 20.8.2019 has submitted that the respondent newspaper, Dainik Jagran has taken action against the representative on 19.8.2018. Therefore, they (complainants) don't want any action against the respondent newspaper.

He has further submitted that it has come to his notice that a letter dated 20.8.2019 was sent to the PCI by him on 20.8.2019 wherein it has been stated that people of Dainik Jagran are forcing him to withdraw the complaint, but no such letter has been sent by him to PCI. He has requested the Council to close the matter.

Reply filed by the respondent editor, Dainik Jagran

The Editor, Dainik Jagran vide Written Statement dated 10.1.2020 submitted that the impugned news item was published on the basis of the report submitted by the local reporter, believing it to be true in good faith however, after receipt of the notice from the Hon'ble Council, the matter was enquired, it was found that the local reporter did not verify the news item. As such taking action the management terminated the reporter and the said action has been intimated to the complainant. The complainant being satisfied with the action of the management of the respondent newspaper withdrew the complaint.

The content of the letter informing that the respondent newspaper is pressurizing the complainant Shri Shiv Mohan to withdraw the complaint is factually incorrect and the complainant, Shri Shiv Mohan has endorsed that they have not sent any such letter to the Hon'ble Council.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. There was no appearance on behalf of the complainant.

The Inquiry Committee has perused the complaint and heard Ms. Poonam Atey, Counsel and Mr. Kapil Yadav, Legal Officer for the respondent. The respondent in its reply has stated that the services of the concerned reporter has been terminated.

The complainant has filed an application, *inter alia*, stating that in view of the action taken by the respondent by terminating the services of the concerned reporter, the complaint be dismissed as not pressed. The Inquiry Committee accedes to the prayer of the complainant and dismisses the complaint as not pressed.

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. 43

File no. 14/43/19-20/PCI

Complainant

Shri Wakilur Rehman Khan,
Correspondent,
Prabhat Khabar Hindi Dainik,
Betia, West Champaran,
Bihar.

Respondent

The Resident Editor,
Prabhat Khabar,
Muzaffarpur (Bihar)

The Owner,
Prabhat Khabar,
Muzaffarpur (Bihar)

Adjudication dated 21.09.2020

This complaint dated 10.4.2019 has been filed by Shri Wakilur Rehman Khan, Correspondent, Prabhat Khabar Hindi Dainik, Betia, Champaran against Bureau Chief, Prabhat Khabar, Betia for allegedly not giving commission in lieu of advertisements given to the newspaper.

The complainant submitted that he has been working with Prabhat Khabar (Headquarter), Betia, Champaran as news collector since August, 2014. He further submitted that the news collectors are distressed since one Shri Ganesh Verma has been deputed as in-charge in Betiya office of Prabhat Khabar. He (Shri Ganesh Verma) is not paying pending dues of Rs. 94,860 to the complainant with respect to commission of advertisements and news. Further, Shri Verma demanded Rs. 3,000 per month from the complainant for working as news collector. When the complainant showed his inability to pay the said amount, Shri Verma clearly said to the complainant that he takes Rs. 5,000 per month from every news collector. The complainant submitted that he was tired of making efforts for getting his advertisement commission. Due to Shri Verma's conduct, he (the complainant) has been diagnosed with heart disease. He has requested the Council to investigate the matter and get him remaining amount due as advertisement commission.

A Show Cause Notice was issued to the respondent newspaper, Prabhat Khabar on 8.5.2019.

Written Statement

Shri Kumar Rajneesh Upadhyay, Editor, Prabhat Khabar, Muzaffarpur vide Written Statement dated 7.6.2019 submitted that the complainant had been working as stringer reporter and there was a written agreement on 1.8.2014 between the complainant and Neutral Publishing House Ltd.(a publishing company of Prabhat khabar) in this regard. The respondent further submitted that according to para "a" of agreement, a stringer would work as an independent editor and bear all the expenses for any article, Report or publishable item to be given to various newspapers time to time. For the publication of these article or Report, he cannot force publishing company.

The respondent submitted that since February, 2019 the complainant has not been working as stringer with Prabhat Khabar nor he informed the newspaper about the same. He further submitted that the written complaint filed by the complainant

was investigated and the reply was sent on 15.4.2019 by the respondent in this regard. According to the respondent, the claim of the complainant of not giving him due amount of advertisement commission is false as there is no outstanding amount to be paid to the complainant. As per agreement, there is a provision of fixed payment of advertisement commission to stringer but he is paid after deduction of Advt. Commission. He has requested the Council to dismiss the complaint.

Counter Comments

The complainant vide Counter Comments dated 17.7.2019 submitted that the “Agreement” mentioned by the respondent in his Written Statement, was just signed by him and the same was kept by the respondent without making him read. The copy of the agreement has been provided to the complainant after the complainant filed complaint before the Press Council. Besides, as per the “Agreement” format it requires signature of two witnesses along with the signature of Publisher and stringer but the said “Agreement” carries the signature of the complainant only. Therefore, the matter should be investigated.

The complainant further submitted that if there is no outstanding amount of advertisement Commission to be paid to him, then through which mode the respondent editor has paid the Commission. According to the complainant when he had paid the advertisement amount through the cheque of the advertiser, no point of deduction of the Commission arises. He has requested the Council to provide him justice in the matter.

Further reply from Prabhat Khabar

Shri Rajneesh Kumar Upadhyay, Regional editor, Prabhat Khabar vide further reply dated 20.2.2020 submitted that the complainant had been working as stringer reporter and there was an agreement between complainant and the Prabhak Khabhar. The assertion of the complainant that the respondent got the signature on agreement without letting him read is completely baseless as the complainant is educated person. The complainant himself had stopped working for the newspaper and due payment was made in his account on January 2019. He further submitted that the complaint was filed by the complainant against one Shri Ganesh Verma, Incharge, Prabhat Khabar, Betiya and the same was investigated and found to be baseless. He submitted that the complainant’s claim that he deposited Rs. 8919 to the Prabhat Khabar newspaper’s account is not true as the company’s record does not find any such transaction. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. The complainant appeared in person. Shri Anjani Kumar Singh, Bureau Chief, Prabhat Khabar represented the respondent newspaper.

The complainant claims to be the correspondent of the Hindi Daily newspaper, Prabhat Khabar and his prayer is to direct the respondent to pay him a sum of Rs. 94860/- as commission of the advertisements which he had provided to the newspaper.

The Inquiry Committee is of the opinion that Press Council is not the appropriate authority to go into this question. However, to put the record straight it may be mentioned herein that the respondent's assertion is that all the dues of the complainant has been paid. Be that as it may as this being not within the jurisdiction of the Council, the Inquiry Committee does not express any opinion on that and leave the complainant to take recourse to any other remedy available to him with the law.

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 Committee and decides to dispose of the complaint with the aforesaid directions.

Press Council of India

S.No. 44-51

File no. 14/254-261/18-19/PCI

Complainant

Shri Kamal Nath,
M.P., Lok Sabha,
President, MPCC

Respondent

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

Shri Ashutosh Pratap Singh,
IPS, Director, Public Relation, Bhopal.

The Editor,
Indian Express, Mumbai

The Editor,
Rajasthan Patrika, Jaipur.

The Editor,
Bhaskar, Madhya Pradesh.

The Editor,
The Times of India, Mumbai.

The Editor,
Jagran, Bhopal.

The Editor,
Nai Duniya, Kanpur.

The Editor,
Sandhya Prakash, Bhopal.

The Editor,
Hindustan Times, New Delhi.

Adjudication dated 21.09.2020

This complaint dated 9.8.2018 has been filed by Shri Kamal Nath, President, Madhya Pradesh PPC alleging gross media misuse, partisanship and oppression to press freedom by the State machinery in Madhya Pradesh and also against the following eight national daily newspapers namely: (i) Jagran, (ii) Rajasthan Patrika (iii) Nai Duniya, (iv) Bhaskar (v) Sandhya Prakash (vi) The Times of India, (vii) Hindustan Times and (viii) Indian Express for alleged publication of paid news/surrogated news at the behest of State Govt. and its agencies.

The complainant has submitted that in the month of May 2018, Shri Ashutosh Pratap Singh, IPS and a near relative of the Chief Minister was appointed as Director, Public Relations, Madhya Pradesh on deputation who acted as the government representative between the State and various media houses, directly calling up media owners and other senior representatives on a day to day basis to ensure that

political news pertaining to the Chief Minister and the BJP are highlighted and prominently displayed to influence the public and its perception.

According to the complainant, the State of Madhya Pradesh is facing elections this year and thus role of a free and unbiased media is all the more important. Unfortunately, the State machinery of Madhya Pradesh has been trying to bend the media to its will, and has by and large succeeded in this malevolent endeavour. He has submitted that advertisements featuring the Prime Minister, Shri Narendra Modi and the Chief Minister, Shri Shivraj Singh Chouhan are prominently displayed on the full page of most prominent newspaper circulated within and outside of the State. The complainant has asserted that the revenue generated through full coverage advertisements has been used as Damocles' sword on the neck of the print media. He has alleged that editors anchors and independent media/press persons who do not fall in line are advised/ threatens through the owners of the respective media houses, with a threat of being replaced. The complainant added that the newspaper such as Rajasthan Patrika had to seek redressal by way of approaching the Hon'ble Supreme Court in 2016 and it was only on the intervention of the Apex Court that they managed to secure advertisement revenue for themselves from the State. The complainant alleged that this is clear case of surrogate advertisements, like the abhorrent concept of paid news and the very fact that the news content of print media is being regulated and controlled by way of advertising revenue earned through the State is shocking. He has requested the Council to direct all the leading newspaper to present before it a table of advertisements and the value in terms of payments on a monthly basis as earned from the State of Madhya Pradesh and take action against newspapers for their biased functioning.

Notices for Comments were issued to aforesaid eight newspapers and also to (i) the Chief Secretary, Govt. of M.P., Bhopal and (ii) Shri Ashutosh Pratap Singh, Director, Public Relation, Bhopal, M.P. on 21.8.2018.

Reply received from Shri Ashutosh Pratap Singh, Director, Public Relation

The respondent, Shri Ashutosh Pratap Singh, Director, Public Relation vide reply dated 12.9.2018 submitted that all the advertisements are released as per DAVP rates and in accordance with Advertisement Rules of Govt. of M.P. He has further submitted that a certain budget for publicity of Govt. policies through advertisements is approved by Legislative Assembly and provided to Public Relation Department. The certified contents w.r.t. advertisements are provided by the department. It is the official duty of the officers/employees of the department to make coordination with the media people. Projecting the department that it is influencing the media is baseless. He has further submitted that at present neither the code of conduct is implemented in the State nor the Election Commission has directed to stop the publicity of policies. The department will comply with the directions after notification in this regard is released by the Election Commission.

Reply received from Rajasthan Patrika

Shri Raghunath Singh on behalf of Rajasthan Patrika vide reply dated 18.9.2018 submitted that the complaint is completely baseless and does not have any relation with reality. The complainant has not mentioned in his complaint as to how this newspaper has violated the journalistic code of conduct. The complainant did

not draw the attention of the newspaper before filing complaint before Press Council. The respondent further submitted that the newspaper has never published any news under the pressure of the Govt.'s representatives. It has never been intention of the newspaper to publish news for gaining advantage from the Central or State Government. As regards approaching Supreme Court for advertisement is concerned, he submitted that when there was discrepancy in releasing advertisement by the Govt. agency, they had to approach the Supreme Court for the redressal of matter. He has requested the Council to dismiss the complaint.

Reply received from Dainik Jagran

The Editor, Dainik Jagran, Bhopal vide reply dated 28.9.2018 submitted that they publish the MP State Government advertisements issued by the DPR and MP Madhyam which is an MP State Govt. Publicity Department in which photos of Hon'ble Prime Minister and Hon'ble Chief Minister are also being printed, which is very normal. The various State Governments in India used to give such type of advertisements highlighting the various schemes launched by the respective State Govt. and Central Govt. achievements, so that the public at large can read and avail the benefits from it. He has further submitted that their publication is not concerned that who is the Director- Public Relations and what he is doing. They print the MP State Government advertisements as per release Order issued by the DPR (Department of Public Relation) and M.P. Madhyam.

Reply received from Dainik Bhaskar

Shri Avneesh Jain, Editor, Bhopal, MP vide reply dated 1.10.2018 submitted that the Dainik Bhaskar publishes the news without any influence and advantage. He has further submitted that all the advertisements that are published in the newspaper, are based on the rules and policies of the Central/State Govt.

Reply received from Nai Duniya

The respondent, Nai Duniya vide reply dated 23.10.2018 submitted that the complainant has filed the instant complaint under political considerations and therefore wild allegations have been levelled against the newspaper establishments. The contents of the complaint are not only false but the same are derogatory. The complainant concealed the fact that the issue relating to issuance of Govt. advertisement has already been decided by the Hon'ble Supreme Court of India vide its judgement dated 13.5.2015. Further, the complaint does not disclose as to what provision of law has been violated by the respondent newspaper in publishing advertisements which are issued time to time by the Govt. under the DAVP advertisement policies. The advertisement in question was published on the basis of release Order against the payment of cost wherein the contents was provided by the advertiser himself within the purview of the journalistic norms laid down by Hon'ble Council for publication of advertisement. He has requested the Council to dismiss the complaint.

Reply received from Indian Express

Ms. Nirupama Subramanian, Editor vide reply dated 17.2.2020 submitted that the advertisements enclosed with the complaint ostensibly relating to The Indian Express, Mumbai Edition were neither carried and nor published in the newspaper.

She submitted that if the advertisements were released by a legitimately elected State Government or its departments to inform the general public about the programs and events organised by it, the same would not violate the code or standards of ethics for journalists. She further submitted that the contents of the complaint are vague and are not admitted. She denied that the Indian Express is sold and circulated in the State of Madhya Pradesh.

Reply received from Times of India

Shri Shailendra Singh, Advocate for the respondent, Times of India vide his written statement dated 19.2.2020 while denying the allegation has stated that the allegations in the complaint are against the department working under the Government of Madhya Pradesh and the complainant has not filed against them and the Hon'ble PCI issued the Notice to the newspaper in mechanical manner. The respondent has further stated that the issue raised in the complaint is beyond the scope of Hon'ble PCI to decide. The respondent has also stated that the department released the advertisements and the newspaper in normal course of its business published it. According to the respondent, he has not done any wrong by publishing the advertisement. The respondent has mentioned that the department which has released the advertisement is not party to this complaint. The respondent has submitted that a newspaper is largely dependent on advertisements from private as well as government entities for revenue. The show-cause issued on the allegations of paid news is uncalled for, unwarranted and without any jurisdiction. The publication of the government released advertisements does not make any other news about government paid news. The complainant with this complaint has attached newspapers cuttings, a mere look at them to make it clear that they are advertisements and not news in the garb of advertisement. The publication of the advertisements does not curtail any right of the complainant and it is beyond jurisdiction of the Council to pass any order in this regard even in case any right of complainant is curtailed. The respondent has mentioned that though the model code of conduct has still not been announced by the ECI in the State of M.P., even if the model code of conduct would have been in place, that time also newspaper has the right to publish news what it deems fit and is selected by editor for publication in the newspaper. The respondent has stated the complainant is trying to seek a favorable order by misleading the PCI on the basis of advertisements published by them leveling allegation of paid news. He has requested the Council to drop the proceedings in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. The complainant has not chosen to appear.

This complaint was filed by Mr. Kamal Nath the then Member of the Lok Sabha and President of the Madhya Pradesh Congress Committee. Various allegations have been made in this complaint. Respondents, Indian Express, Mumbai, Rajasthan Patrika, Jaipur, Times of India, Mumbai, Jagran, Bhopal and Nai Duniya, Kanpur, are represented by their Counsel or the authorised representatives. Ms. Priyanka Mishra, Additional Director, Public Relations has appeared on behalf of Chief Secretary of State as also the Director, Public Relation. A communication has been received from the office of the Chief Minister of Madhya

Pradesh communicating that the complainant shall not be able to appear before the Inquiry Committee today.

The Inquiry Committee is of the opinion that the purported wrong pointed out by the complainant can be remedied by him as the Chief Minister of the State.

In that view of the matter, the Inquiry Committee is not inclined to proceed in the matter any further and directs 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. 52

File No. 14/8/19-20-PCI

Complainant

Shri Narendar Singh Yadav,
Director,
Komil Singh Shanti Devi Degree
College,
Kannoj, Uttar Pradesh.

Respondent

The Editor,
Dainik Jagran,
Kanpur Edition,
Kanpur, Uttar Pradesh.

Adjudication dated 21.09.2020

This complaint dated 28.3.2019 has been filed by Shri Narendar Singh Yadav, Director, Komil Singh Shanti Devi Degree College, Kannoj, Uttar Pradesh against the Editor, Dainik Jagran alleging publication of defamatory and false news item under the sub caption “परीक्षार्थियों ने दी सामूहिक आत्महत्या की चेतावनी” in its issue dated 16.3.2019.

It has been reported in the impugned news item that many students have filed complaint with the Chief Minister and the D.M. against the college for allegedly allowing copying on contract in the self-aided universities namely Chaudhary Jaiveer Singh University, Mishrapur amongst others. In this regard, the students of Chhibramau region of Kannauj District, U.P. have sent letter to Jagran office through registered post wherein they have mentioned that the college allows the students copying during the exams. The College takes Rupees five thousand from each student for the same and the students who don't submit the amount are harassed. Cameras and voice recorders are being closed during the exams and students are allowed to copy by writing on the blackboard. Fake videos are being prepared with the help of Software Engineers. The act of copying during exams is being done with the connivance of Police and Administrative officers. Further, the students have warned that if no action is initiated against the college authorities, they will commit suicide before the office of District Magistrate.

Denying the allegations, the complainant has submitted that no information of the students such as class, father's name, address and school name have been mentioned by the newspaper in the article. Further the news does not identify college whose students have made complaint. He has further submitted that neither the complainant was contacted nor he was asked to give his version in the matter. The complainant submitted that the college has gone through unnecessary investigations because of the publication in the newspaper which has tarnished the image of the college. He has requested the Council to take action against the respondent newspaper.

The complainant vide legal Notice dated 28.3.2019 drew the attention of the respondent, Dainik Jagran as to why he should not file defamation case against the respondent newspaper.

A Show Cause Notice dated 23.8.2019 followed by a reminder dated 11.10.2019 was issued to the respondent newspaper, Dainik Jagran.

Reply from Respondent

Shri Kapil Yadav, Officer Legal, Dainik Jagran vide his communications dated 27.12.2019 and 28.1.2020 has informed that they have published the version/apology in Dainik Jagran, Kanpur edition under the caption “सामूहिक नकल की बात झूठी, तीनों कालेज को क्लीनचिट” in its issue dated 8.12.2019. He has requested the Council to withdraw the proceedings in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi. The respondent newspaper is represented by Ms. Poonam Atey, Advocate and Shri Kapil Yadav, Legal Officer.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and all other connected papers and is of the opinion that a little diligence on part of the respondent newspaper would had avoided the publication of the impugned news item. The Inquiry Committee cautions the respondent newspaper to be careful in future, while publishing such news.

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 Committee and decides to dispose of the complaint with aforesaid directions.

Press Council of India

S.No. 53

F.No. 14/9/19-20-PCI

Complainant

Shri Prashant Singh,
Manager/Director
Ch. Jayveer Singh Mahila Shikshan
Sansthan,
Mishrapur Sarayprayag,
Kannouj U.P.)

Respondent

The Editor,
Dainik Jagran,
Kanpur Edition,
Kanpur Nagar, U.P.

Adjudication dated 21.09.2020

This complaint dated 28.03.2019 has been filed by Shri Prashant Singh, Manager/Director, Ch. Jayveer Singh Mahila Shikshan Sansthan, Mishrapur Sarayprayag, Kannouj against the Editor, Dainik Jagran, Kanpur, U.P. for allegedly publishing false and baseless news item under the caption **“परीक्षार्थियों ने दी सामूहिक आत्मदाह की चेतावनी”** in its issue dated 16.03.2019 to defame the institute.

It is published in the impugned news item that many students have complained to the Chief Minister and the District Magistrate for allegedly allowing copying on contract in the self-aided universities namely Chaudhary Jaiveer Singh University, Mishrapur amongst others. In this regard, the students of the region have sent letters to Jagran office through registered post wherein they have mentioned in that the copying is being allowed by taking Rs. 5,000/- per student. Cameras and voice recorders are switched off to facilitate copying. Video recordings are being done with the help of Software engineers. The officials are involved in connivance with police and administrative officers. The students who have not deposited the amount, are being pressurised and harassed. These students have given warning that they would commit suicide before the District Office if action is not taken.

The complainant submitted that the students referred in the news report have not been identified whether they are enrolled with the School/University or on Examination call. Before publishing the news, the respondent has neither contacted the complainant nor the administration for any kind of information. It is also mentioned that the news report is published on the basis of the concerned students' letters to the Jagran office through registered post. The concerned students are neither students nor examinees of this university. Owing to the news report, the institute has to face unnecessary and unusual inquiry. The management committee and the institute have been shown as involved in the category of mafia for receiving illegal money and have to face defamation in the society. The report is published without any concrete information from any responsible person to sensationalise the readers with a view to create incredibility among the students, parents, examinees and the public and to provide personal benefits to some persons by maligning the institute. The complainant vide letter dated 28.03.2019 drew the attention of the respondent towards the impugned news item but received no response. The complainant requested the Council to take action against the respondent.

A Show-Cause Notice was sent to the respondent on 23.08.2019 followed by a Time Bound Reminder on 27.09.2019.

Communications received from Respondent

Shri Kapil Yadav, Officer Legal, Dainik Jagran vide his communications dated 27.12.2019 and 28.1.2020 has informed that they have published the version/apology in Dainik Jagran, Kanpur edition under the caption “सामूहिक नकल की बात झूठी, तीनों कालेज को क्लीनचिट” in its issue dated 8.12.2019. He has requested the Council to withdraw the proceedings in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi. The respondent newspaper is represented by Ms. Poonam Atey, Advocate and Shri Kapil Yadav, Legal Officer.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and all other connected papers and is of the opinion that a little diligence on part of the respondent newspaper could have avoided publication of the impugned news item and the complainant's grievance could have averted. The Inquiry Committee cautions respondent newspaper and observes that they should be careful in future while publishing such news.

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 Committee and decides to dispose of the complaint with aforesaid directions.

Press Council of India

S.No. 54

F.No.14/640/18-19-PCI.

Complainant

Shri Subhash Jha,
Advocate,
Mumbai (Maharashtra)

Respondent

The Editor,
The Times of India,
Mumbai (Maharashtra)

Adjudication dated 21.09.2020

Shri Subhash Jha, Advocate, Mumbai vide his complaint dated 20.2.2019 has alleged that the “Times of India” published objectionable heading i.e. “**Govt. blames Pak after local youth rams CRPF convoy with IED-packed SUV in worst terror hit on J&K forces**” in its issue dated 15.2.2019 on very next day of Pulwama attack by a Fidayeen terrorist which led to 44 of brave Indian soldiers being martyred.

According to the complainant, there has been uproar by a large section of people who saw the impugned headline as being extremely soft to Pakistan and terrorist being referred to as ‘local youth’ and one fails to comprehend what message the headlines wanted to convey to its readers when it reads ‘Govt. blames Pak’. The complainant has further stated that the headline certainly seeks to suggest that the Government of India is ‘blaming’ Pakistan. This is nothing short of brazen distortion of a terrorist attack which led to 44 of brave Indian soldiers martyred being portrayed as an act by a ‘local youth’. The complainant has also stated that the impugned news seems to be authored by someone whose email id as mentioned in the impugned news item is saleem.pandit@timesgroup.com.

According to the complainant, the respondent issued an editorial note justifying the headlines as aforesaid by stating as under:

“The headline clearly said, it was a terror strike. There is nevertheless a feeling that it conveyed an impression of Pakistan being ‘unfairly’ blamed”.

The complainant has stated that the said editorial note, instead of profusely tendering an unconditional apology to the Nation for the blunder created by one of its employees, sought to justify the headline as the readers have not understood the simple meaning of the headlines respondent newspaper wanted to convey its readers.

The complainant has also stated that no person who understands even a little bit of English would understand the headline in the manner in which it has been suggested by the editorial of the newspaper. Furthermore, the Editor’s note read as under:

“We wish to point out that our entire coverage was unambiguous in stating that the terrorist was a member of Pakistan-based and controlled Jaish-e-Mohammad”

The complainant has stated that even the later part of the Editor’s note quoted hereinabove does not seek to suggest, even remotely, that their headline intended to

carry any such meaning which has been quoted as above. The headline appears to be that of a newspaper published from Pakistan and certainly not India.

The complainant drew the attention of the respondent on 20.2.2019 towards the impugned news item but received no response. He has requested the Council to hold an enquiry in the matter and take necessary action against the respondent for conveying such an anti-national message to the readers.

A show-cause notice was issued to the Editor, Times of India, Mumbai on 11.4.2019 followed by a reminder dated 27.5.2019.

Written Statement

The respondent-Times of India, Mumbai vide its undated written statement, received in the Secretariat of the Council on 24.6.2019, while denying the allegations has stated that the complaint is totally false and incorrect and is an attempt to curb the freedom of press. The respondent has further stated that the complainant failed to comply with the requirements of Inquiry Regulations and also failed to make the reporter of the impugned news report a party as respondent. While denying the allegation of any damages, the respondent has informed that what is stated in the impugned report was already widely reported in the print media and the same was well within the public domain. The respondent has further informed that many other prominent newspapers in India have time and again reported such important issue for the betterment of the public at large. According to the respondent, the impugned report was published in good faith, in public interest, without malice and was based on information and/or documents received from reliable sources, believing the same to be true and correct and without malice towards the complainant or any other specific section of the society. The respondent has further submitted that the impugned news report intended to highlight the burning issue of terrorism, which has become a global issue. The interpretation of the statement in impugned report clearly reveals that India has held Pakistan responsible for the said terrorist attack. Moreover, the word 'blame' does not ordinarily bear the meaning and interpretation as wrongly perceived by the complainant. Besides, the term 'local youth' has also been used in the impugned news report only when it was revealed that the perpetrator Adil Ahmed Dar was an Indian national and hence the term is fully relevant and therefore does not have any objectionable nature per se. According to the respondent, based on concerns raised by some of their readers, the separate editorial note was subsequently released by them, which also tries to clarify their position and explicitly condemns terrorist acts. The respondent specified that Times of India grieves for the families of martyred. More so, they amended the original headlines considering and respecting the sentiments of the readers. The respondent has also stated that the impugned article clearly and prominently highlights the statement by the Hon'ble Prime Minister of India, which clearly states that "sacrifices won't be in vain", which itself is a strong message for those who are engaging in terrorist activities against India. According to the respondent, as a responsible newspaper, they wanted to highlight the condemnable and coward terrorist attack and subsequently pass a message that they would not tolerate any act of terrorism against the national interest. The respondent has stated that they had no intention of hurting any reader's sentiments but unfortunately the complainant has chosen to interpret the impugned news report in a negative manner, thereby demonstrating

hyper sensitivity by wrongly criticizing the impugned report. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi. While there is no appearance on behalf of the complainant, the respondent newspaper is represented by Shri Akash Nagar, Advocate.

The complainant is aggrieved by the publication of a news item in the respondent newspaper in its issue dated 15th of February, 2018 with the heading **“Govt. blames Pak after local youth rams CRPF convoy with IED-packed SUV in worst terror hit on J&K forces”**. According to the complainant, the aforesaid heading tends to convey to the readers that the act of terror was by a local youth, but the Govt. has blamed Pakistan. It appears that, on the very next day of the publication of the aforesaid news item editor’s note had been published purporting to clarify the same. The Inquiry Committee is of the opinion that a news which has International ramification should not be published in casual manner.

It also opines that initially newspaper while giving the headlines has conveyed something which the contents of the news do not testify. A little care on part of the newspaper in matters like this is expected from the newspaper.

The Inquiry Committee, accordingly, warns the respondent newspaper and advises it to be careful in future and it recommends for disposal of 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 Committee and decides to dispose of the complaint with aforesaid directions.

Press Council of India

S.No. 55

F.No.14/708/18-19-PCI.

Complainant

The Director,
Training & Placement,
Oriental College of Technology,
Bhopal (M.P.).

Respondent

The Editor,
Pradesh Today,
Bhopal (M.P.).

Adjudication dated 21.09.2020

This complaint dated 15.3.2019 has been filed by the Director, Training & Placement, Oriental College of Technology, Bhopal (M.P.) against the Editor, Pradesh Today, Bhopal for allegedly publishing false and defamatory news item under the caption “सेना के नाम का ओरिएंटल कालेज द्वारा दुरुपयोग, कंप्लेन पर कागजी खानापूति” in its issue dated 7.3.2019.

It is reported in the impugned news item that a matter of showing the negligent functioning and inefficiency by Dr. Chandra Shekhar Verma, a Regional Officer of a prestigious institute like All India Council for Technical Education (AICTE), has come to light. Dr. Verma despite having complete information, has been showing apathy towards the complaints of misappropriation being highlighted in many private colleges. It is further reported that on the complaint of social activist, Shri Prakash Aggarwal, in the matter of misuse of the name of Navy and Indian Army, he sent a Notice on behalf of ACITE to the Director/Principal of Oriental College of Science and Technology, but an anonymous Director of Oriental College Science and Technology had replied to the Notice. The explanation should have been given within 15 days but a misleading explanation was given after a month. In the reply a fake document was termed as a letter of Appreciation and on which neither the name of the Oriental College nor date and sign of issuer was mentioned. According to the impugned news item, Dr. Verma said that he is satisfied with the explanation filed by the Oriental College.

Denying the allegations, the complainant stated that the respondent distorted facts with a view to defame the college, which seems that the newspaper has mal intentions to blackmail the college. The complainant submitted that many students from Oriental group of institutes have joined Defence Services i.e. Indian Army, Indian Navy and Indian Air Force. The complainant further stated that the impugned article published in respondent newspaper has created unnecessary panic among students through this distorted news item, which not only harming the career of good students but also misleading the public in general and defaming Oriental College management in particular.

The complainant vide letter dated 24.4.2019 drew the attention of the respondent towards the impugned item. In response thereto, the respondent vide letter dated 7.5.2019 stated that they do not have any kind of malice or ill-will towards him and they make a conscious effort to verify each and every piece of information being published in the newspaper to ensure that no inflammatory or false information gets published in the newspaper and have no intentions of

harassing complainant's institute or tarnishing the alleged blemish free reputation of the institute. The complainant is not satisfied with the reply filed by the respondent.

The complainant has requested the Council to take necessary action against the respondent.

A show-cause notice was issued to the Editor, Pradesh Today, Bhopal on 30.5.2019.

Written Statement

Shri Gurfan Ahmad Khan, Co-Ordinator and Authorized Signatory, Pradesh Today vide his undated written statement, received in the Secretariat on 19.6.2019, while denying the allegations levelled in the complaint has stated that the complainant filed this complaint with the oblique motive to harass them. The respondent has further stated that they have no ill-will towards any individual or organisation and impugned news item is entirely true. The facts published in the impugned news item after a rigorous screening process and thorough and due circumspection. They do not practice or indulge in any form of unethical journalism. While denying the allegation of blackmailing, the respondent has stated that the explanation given by the complainant to justify its action of classifying Indian Army as 'our recruiter' on its official website is not only bogus but downright amusing. It is general opinion rather a common belief that a particular organisation can be classified by any educational institution as a recruiter only and only if, the organisation approaches that institute with the objective of recruiting its pupils. The respondent has further stated that admittedly, it is not the case with the complainant, Defence Forces never ever approached the complainant with the object of recruiting its students rather complainant's was one of many recruitment centre earmarked by the defence forces by recruitment in general. The respondent has further stated that it is highly apparent from the conduct of the complainant that they are trying to mislead gullible children and their parents into believing that it provides 'campus placement' to its students into the Indian Army. While denying the allegation of disrepute the complainant, the respondent has submitted that the misconduct of the complainant even attracted the ire of AICTE as well, which issued a show-cause notice dated 11.1.2019 to the complainant demanding an explanation for their wrongful conduct. According to the respondent, the complainant advertised themselves as recruiter of Indian Army on their website, which is not true. The AICTE had issued a letter dated 11.1.2019 to the applicant, wherein they sought explanation from the complainant. They at the first instance published the news item on 25.1.2019. This news has not been referred by the complainant in their complaint. They tried to get the version of the complainant but they did not cooperate with them and did not give any version. On 7.3.2019, they published the impugned news item, wherein this fact was published that the reply to the Notice of AICTE, which was given by the complainant is not based on correct facts. The complainant enclosed one letter along with their reply to show that as if the said letter was given to them by Western Naval Command, which is not correct. The said letter was not addressed to the complainant by Western Naval Command. The respondent has further submitted that after publication of the impugned news item, the AICTE issued a letter dated 11.3.2019 wherein it expressed their dissatisfaction and directed the complainant to inform them whether Indian Army or Indian Navy have authorized them to advertise them as recruiter of Indian Army. In the said letter, AICTE also asked the

complainant to furnish the copy of such authority letter. The respondent has also submitted that it is not out of place to mention that the complainant could not furnish any such authority letter on the contrary they have tried to misguide the AICTE by sending letter dated 15.3.2019. On perusal of the reply it becomes crystal clear that the applicant was never authorized by the Indian Army or Indian Navy to show themselves as recruiter of Indian Army and also not authorized them to advertise as recruiter in their Website. According to the respondent, one Dr. Prakash Agrawal, Organizer, Jago Bharat Jago placed copy of his application seeking information from Defence Head Quarters under RTI Act. A copy of the reply was also provided to them (respondent) by Dr. Agrawal, wherein CPIO of Indian Army stated that Director General of Recruiting does not authorize any educational institution to use/publish name of Indian Army as its official recruiter. It was also mentioned that DTE does not hold any application of complainant and further it has also been made clear that DTE did not issue an appreciation letter to the complainant. The respondent has stated that on the basis of said facts and documentary evidence the illegal activities and the action of misguiding the young generation by the complainant was unveiled by them which never can be termed as unethical or violation of the journalistic norms. The respondent has further stated that they never published any news that no students from complainant institution joined defence services because all students have their own freedom to opt their career in any field including Indian Army, Indian Navy etc.

The respondent has submitted that the complainant sent a baseless legal notice to them for defamation, which was suitably replied. Even after the said reply instead of filing any defamation suit the complainant made the complaint. He has requested the Council to dismiss the frivolous complaint and take necessary action against the complainant for misusing this Hon'ble Forum.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi.

Despite service of notice, the complainant has not chosen to appear. The respondent is represented by Mr. Sanjeev Prasad, Advocate.

The complainant has filed an application for adjournment of the case. The Inquiry Committee is not inclined to accede to his prayer. The Inquiry Committee has perused the complaint, the written statement and all other connected papers and is of the opinion that the grievance of the complainant is misconceived 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 Committee and decides to dismiss the complaint.

Press Council of India

S.No. 56

F.No.14/193/18-19-PCI.

Complainant

Smt. Ritu Garhwal,
Secretary,
Krishi Upaj Mandi Samiti, Bareilly,
Raisen (M.P.).

Respondent

The Editor,
Aaj Ka Sanvidhan,
Raisen (M.P.).

Adjudication dated 21.09.2020

This undated complaint, received in the Secretariat of the Council on 27.6.2018, has been filed by Smt. Ritu Garhwal, Secretary, Krishi Upaj Mandi Samiti Bareilly, Raisen, Madhya Pradesh against Shri Mahesh Verma, Editor, Aaj Ka Sanvidhan, Raisen for allegedly creating hurdle in government duty and for getting published false and defamatory news items in other newspapers i.e. "Dainik Jagran", "Dainik Bhaskar" and "Patrika".

According to the complainant, the respondent-Shri Mahesh Verma along with a former MLA, Shri Bhagwan Singh Patel came to her office and sought information relating to the activities of the Mandi, which she made available to them in detail. The complainant has further stated that they expressed their dissatisfaction on the information provided to them and they told her to intimate the government about the discrepancies prevailing in the Mandi. The complainant has further informed that when she informed them that she could only intimate the government about their suggestions but she could not direct the government and then suddenly Shri Mahesh Verma started using abusive language and castiest words. The complainant stated that when she humbly asked the respondent to sit quietly or leave from there, then the respondent left from there. Annoyed with the conduct of the respondent, a complaint has been filed by her and an employee of the Mandi in Police Station Bareilly on 7.6.2018. The complainant has alleged that the respondent again came to her office and demanded Rs.50,000/- stating that if the said amount is not paid he will publish the news against her levelling the allegation of corruptions. In this regard, she complained to the SDM on 11.6.2018. The complainant has submitted that the objectionable news items are being published by the respondent in other newspapers with the connivance of many correspondents and thereby tarnishing her image. The complainant has provided copies of the news items, which are as follows:-

<u>S.No.</u>	<u>Newspaper</u>	<u>Caption</u>	<u>Date</u>
1	Dainik Jagran	मंडी सचिव ने पत्रकार से की अभद्रता, दी देख लेने की धमकी	9.6.2018
2	Dainik Bhaskar	24 घंटे में कृषि मंडी सचिव और सहकर्मी को हटाने की मांग	9.6.2018
3	Dainik Jagran	पत्रकार के साथ अभद्रता के विरोध में दिया ज्ञापन	12.6.2018
4	Dainik Jagran	मंडी सचिव और सहकर्मी पर कार्रवाई न होने से नाराज पत्रकार धरने पर बैठे	13.6.2018
5	Patrika	मंडी कर्मचारियों की कई गतिविधियों से उपजे सवाल	13.6.2018

6	Dainik Bhaskar	मंडी सुरक्षा पर उठ रहे सवाल, उपज बेचने आए किसान का दो कट्टे अनाज हुआ चोरी	14.6.2018
7	Dainik Jagran	पत्रकारों का धरना दूसरे दिन भी रहा जारी	14.6.2018
8	Dainik Jagran	पत्रकार के खिलाफ अभद्र व्यवहार के विरोध में ब्लाक कांग्रेस कमेटी ने सौंपा ज्ञापन	15.6.2018
9	Dainik Bhaskar	मंडी सचिव के खिलाफ एक सप्ताह में कार्रवाई के आश्वासन पर धरना खत्म	16.6.2018
10	Dainik Jagran	पत्रकारों के सम्मान को कायम रखेंगे पटेल -	17.6.2018
11	Dainik Bhaskar	पत्रकारों के सम्मान को कायम रखेंगे पटेल -	17.6.2018

The complainant vide her undated letter drew the attention of the respondent in the matter but to no avail. She has requested the Council to take necessary action in the matter.

Show-cause Notice was issued to the respondent-Editor, Aaj Ka Sanvidhan, Raisen on 30.11.2018.

Written Statement

Shri Mahesh Verma, Editor, Aaj Ka Sanvidhan vide his written statement dated 19.12.2018 while denying the allegation has alleged that the complaint is totally false, misleading, baseless and fabricated. The reality is that the complainant is taking advantage of being a woman officer and a scheduled caste and works arbitrarily in the Mandi. The respondent further submitted that due to irregularities prevailing in the Mandi during her tenure, many farmers and businessmen are not satisfied, therefore, she filed this complaint with a view to divert their attention. According to the respondent, it is true that he went to the complainant's office to seek the information regarding irregularities in Mandi for publication of news where former MLA, Shri Bhagwan Singh was already present. The respondent while denying the allegation of using filthy language and castiest words against the complainant has alleged that in fact complainant misbehaved with him and threatened to implicate him in SC/ST Act. In this regard, he complained to the higher authorities and Police Station. While denying the allegation of demanding Rs.50,000/-, the respondent has stated that the complainant being an government servant and violating the Civil Service Conduct took out a rally against him with a view to defame and implicate him in a false case. In this regard, he has issued a notice through his advocate. The respondent has further stated that when no action was taken against the complainant by the authorities, the local journalists' unions staged a Dharna to remove the complainant. The respondent also stated that the complainant wants to establish her supremacy in the Mandi and for this she keeps pressuring everyone. According to the respondent, he has not done any illegal act and the complainant has filed this complaint with a view to harass him physically and mentally. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi. The respondent newspaper, Aaj Ka Sanvidhan was represented by Shri Mahesh Verma, Chief Editor.

Despite service of notice, the complainant has not chosen to appear. She has filed an application for adjournment of the case. The Inquiry Committee is not inclined to accede to her prayer.

The Inquiry Committee has perused the complaint, the Written Statement and all other connected papers. The Inquiry Committee has also heard the respondent and is of the opinion that the grievance made by the complainant is absolutely misconceived 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. 57

F.No.14/297/18-19-PCI.

Complainant

Shri Deepak Chaudhary,
Neemuch Cantt.,
Madhya Pradesh.

Respondent

The Editor,
Nai Dunia,
Indore (M.P.)

Adjudication dated 21.09.2020

This complaint dated 3.9.2018 has been filed by Shri Deepak Chaudhary, Neemuch Cantt., Madhya Pradesh against the Editor, Nai Dunia, Indore for allegedly publishing false and defamatory news item under the caption “कांग्रेस नेता ने पत्नी और परिजन को सरेराह धमकाया, मारपीट” in its issue dated 9.5.2018.

It is reported in the impugned news item that a Congress leader has been accused of threatening and assaulting his wife and her family. A dispute of divorce was going on between the leader and his wife for a long time. This matter also reached the court. It has been further reported that after this incident, a case has been registered by the Cantt. Police against the Congress leader, Shri Deepak. The leader's wife Smt. Vinita said that they got married in the year 2016 but after marriage, Shri Deepak started harassing her and she started living separately. Police is investigating the case. Smt. Vinita has also informed that Shri Deepak kidnapped his uncle and threatened him to kill in the past.

While denying the allegations levelled in the impugned news item, the complainant has stated that he is a General Secretary of the District Congress and has a respect in the society and family. His family's personal dispute is pending in court. The complainant has further informed that the Bureau Chief of respondent newspaper at Neemuch Office, Shri Krishna Sharma demanded money from him before publishing the impugned news item and on refusal he published false, baseless and defamatory news item. According to the complainant, after publication of impugned news item, he contacted the office of the respondent newspaper but no action was taken. Thereafter, on 28.7.2018 he personally visited Nai Dunia Office at Indore and met with the Editor, Shri Ashish Vyas and Assistant Editor, Shri Rituraj Singh. They assured him for taking action in the matter, however, Shri Rituraj Singh showed him hand written complaint filed by his wife in the Cantt Police Station. The complainant has stated that the said complaint was false as it had neither the date nor the details which was published in the news. Thereafter he sought copy of the said complaint from the Cantt Police Station under RTI Act. In response thereto, the SHO, Neemuch Cantt Police Station vide reply dated 11.8.2018 informed that there is no complaint against Shri Deepak Chaudhary. The complainant has further stated that he provided the reply of the SHO to the Editor and Assistant Editor of Nai Dunia but no any action was taken. He has requested the Council to take necessary action against the respondents.

A show-cause notice was issued to the Editor, Nai Dunia, Indore on 24.10.2018.

Written Statement

The Editor, Nai Dunia vide his written statement dated 21.11.2018 has stated that the allegations levelled by the complainant are baseless and far from truth and the impugned news item was published on the basis of facts. The respondent has informed that the complainant's divorce case was pending in the court at the time of publication of the impugned news item, however, a few days later they have been divorced as per court's decision. He further stated that complainant's wife, Smt. Vinita visited their office along with her family on 8.5.2018 and gave information about the assault by the complainant and kidnapping of his uncle. Smt. Vinita also informed that the Neemuch Cantt. Police has not registered the case and after interference of the Superintendent of Police, an FIR has been registered on same date i.e. on 8.5.2019. The respondent has further stated that Neemuch Bureau Chief, Shri Krishna Sharma had contacted the complainant to know his views but could not succeed. According to the respondent, the complainant had visited their Indore office and discussed the matter with the State Editor-in-Chief, Mr. Ashish Vyas and Shri Vyas offered him to publish his side but the complainant refused stating that he does not want to pursue the matter further. The respondent has informed that after the complaint by the complainant, they conducted a confidential investigation of their Bureau Chief but no evidence has been found against him. The respondent has further stated that neither they have any ill-will towards the complainant nor they have published the impugned news item with a view to harm the reputation of the complainant and that they have not violated any norms.

Counter Comments

The complainant vide his counter comments dated 22.12.2018 while reiterating his complaint has alleged that the reply filed by the respondent is misleading and far from truth. The complainant has further stated that the impugned publication does not match anywhere with the FIR dated 8.5.2018 filed in the Police Station. Observing the FIR and impugned news item, it becomes self-evident that the impugned news has been published with a malafide intention to defame him. While denying any incident of assault with his wife and her family, the complainant has stated that his wife and his family are highly educated and connected to the media, in such circumstances, making a request to the Superintendent of Police for filing the case is completely false. While denying the allegation of kidnapping, the complainant has stated that his wife's uncle also did not give any statement of kidnapping to the police. The complainant has further stated that the Neemuch Police Station also informed vide reply under RTI Act that no complaint was filed against him. The complainant has informed that he refused to publish his version because it was a family matter and he thought that he would sort it out on his own, but he also said that the impugned news item, which was published maliciously, should be resolved. The complainant has further informed that the Bureau Chief, Shri Krishna Sharma did not try to know the facts from him but offered to settle the matter by demanding money. He has requested the Council to cancel the registration of the respondent newspaper.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.2.2020 at New Delhi. Shri Deepak Choudhary, complainant appeared in person. There was no appearance on behalf of the respondent newspaper, Nai Dunia.

The complainant is aggrieved by a news item published in the respondent newspaper in its issue dated 9th of May 2018. The Inquiry Committee has heard the complainant and has also perused the petition of complaint, the written statement and other connected papers.

After having gone through the news item, the Inquiry Committee is of the opinion that it is primarily based on the FIR lodged by the complainant's wife. The complainant submits that in the FIR, there is no allegation of kidnapping but the same has been published in the news. According to the respondent newspaper, said news was published on the basis of information and the materials given by the complainant's wife. The complainant states that his wife did not say so. If that be so, the complainant's wife Ms. Vinita Chaudhary is free to bring this to the notice of the editor of the respondent newspaper. In case she does so, the respondent newspaper shall publish clarification without unnecessary delay. The Inquiry Committee recommends for disposal of the case 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 complaint with aforesaid direction.

Press Council of India

S.No. 58

File no. 14/566/18-19-PCI

Complainant

Shri Sadanand S. Ghodgerikar,
Pune,
Maharashtra.

Respondent

The Editor,
Loksatta,
Mumbai.

Adjudication dated 21.09.2020

This complaint dated 8.11.2018 has been filed by Shri Sadanand S. Ghoderikar, Pune, Maharashtra against the Editor, Loksatta, Marathi daily, Mumbai for allegedly publishing false and misleading editorial by Shri Girish Kuber, Editor of Loksatta under the caption "Warsa" in its issue dated 3.11.2018.

The complainant has objected that the impugned news editorial mentioned that as per Report of Comptroller and Auditor General of India following organisations has donated huge amount for Statue of Unity of Sardar Patel:

Indian Oil – Rs.900 crore
Oil & Natural Gas Commission – Rs.450 crore
Bharat Petroleum – Rs.450 crore
Hindustan Petroleum – Rs.250 crore
Oil India – 250 crore
Gas Authority of India – 250 crore
Power Grid – 125 crore
Gujarat Mineral Development Corporation – Rs.100 crore
Engineer India – Rs.50 crore
Petronet India – 50 crore
Balmer Lawrie – Rs.6 crore

The complainant has stated that the official information given by CAG in his Report to Parliament dated 7.8.2018 is that below mentioned organisations have given donation under "CSR" to the Rashtriya Ekta Trust during financial year 2016-2017.

Indian Oil – Rs.21.83 crore
Oil & Natural Gas Commission – Rs.50 crore
Bharat Petroleum – Rs.25 crore
Hindustan Petroleum – Rs.25 Crore

The complainant has further stated that the "Indian Express", a part of respondent newspaper, "Loksatta", in his newspaper issue dated 6.6.2017 published news that for Sardar Patel Statue, Oil PSUs are directed to pay Rs.200 crores as donation under CSR, it was conveyed at a CSR review meeting, and no written order was issued.

According to the complainant, as per official information Rs.200 crore donations to Statue of Unity is given OIL companies then on what basis the respondent have mentioned Rs.2350 crores donation given to Statue of Unity.

The complainant drew the attention of the respondent towards the impugned editorial on 8.11.2018 requesting him to provide source of information of donations of Rs.2350 crore as mentioned in the impugned editorial and if he is unable to provide the information, publish apologies for spreading false and misleading information.

Written Statement

Shri Girish Kuber, Editor, Loksatta vide his written statement dated 22.4.2019 has objected that an endorsement should not be entertained as complaint. The respondent has stated that the complainant in his letter to editor has sought 'source of information' and the request of the complainant cannot be entertained by the newspaper as per Norm 27 of Norms of Journalistic Conduct framed by the Press Council of India. According to the respondent, the complainant resides at Pune and as per the subject of the show-cause notice, the complaint is against the Editor of Loksatta, Pune edition. The person designated as Editor of Loksatta, Pune is Shri Mukund Sangoram, who is the person responsible for selection of material published therein under the Press & Registration of Books Act. No show-cause notice was issued to the Editor of Loksatta, Pune edition. The respondent has further stated that the complainant also failed to comply with the mandatory requirements of Inquiry Regulations, as no letter sent by the complainant to Pune edition. According to the respondent, the complainant has relied upon a CAG Report but no particulars thereof have been provided by him, which is contrary to principles of natural justice. The complainant has stated that he is columnist and writes column in the newspaper under the title "ANYATHA" (Otherwise) and impugned editorial "Warsa" (Legacy) is the title of that particular article. According to the respondent, the editor discussed the legacy of economic ideologies or economic preferences and philosophies of some key leaders of India, Mahatma Gandhi, Sardar Patel, Pandit Nehru, Shri JRD Tata, Shri Atal Bihari, Shri Narsimha Rao and Shri Manmohan Singh. One of the salient economic policies preferred by Pt. Nehru was the creation of Public Sector Undertakings (PSU), which he had called the temples of modern India. Pt. Nehru leaned towards socialism and hated 'profits'. Sardar Patel believed that Government should not run businesses and was not in favour of PSUs or running an airline. In this he agreed with Shri JRD Tata. He was not against business for profit; it was not a crime. Shri J.R.D. Tata would have preferred it if Sardar Patel had been Prime Minister instead of Pt. Nehru. The Editor then explains that Sardar Patel belonged to an earlier generation; he was 15 years old than Pt. Nehru. That Shri JRD Tata's opinion was based only in the economic context of the Nation. And did not consider Pt. Nehru's popularity and political wisdom. The respondent has further stated that he obtained the figures spent by PSUs from a senior bureaucrat and he cannot reveal his source as information has been provided on basis of strict confidentiality. According to the respondent, Economic Times has opined similarly and published an article stating that "Sardar Patel was completely against building statues and memorials. If he were alive today, he would have opposed the state government's project under which a Rs.3,000 crore sculpture of the Iron Man himself is coming up at Kevadiya near the Narmada Dam. The respondent has further stated that the actual money spent on the statue is not available generally to the public, though it is a matter of public interest as public funds were spent. The respondent has also stated that Shri Kuber has learned from Shri Arvind Sawant, MP and Member of the Standing Committee on Petroleum and Natural Gas, that he Shri Sawant had asked a question about the exact amount of contribution of petroleum companies to

construction of the great statue of Sardar Patel at the meeting of the Committee held on 25.1.2019, when the Petroleum Secretary was present but no reply was received. According to the respondent, one of the PSUs named in the impugned column have disputed the figures mentioned therein till date and no letters have been received from any of the PSUs. The respondent has stated that the complainant relies on a CAG report where figures of the PSUs are reportedly different and the complainant fails to appreciate that the CAG report on which he relies relates to one financial year. That even this CAG report for the year 2016-17 came down heavily on the use of CSR funds for construction of the statue as it does not qualify as CSR activity. The respondent has further stated that the impugned column is the Editor's opinion or views on a topical subject and it was written in good faith and in public interest and without malice. The construction of the statue and the spending of public funds, are in the public domain. The comments in the article are discussion of the legacy of the great leaders of India, and there is a marginal reference on the spending of public funds by persons holding official positions in PSUs for the great statue of Sardar Patel. The respondent has also stated that the complainant has no personal knowledge about the amounts contributed by the PSUs over the past several years towards the Sardar Patel statue and has no locus in the matter. He has stated that there is no ground for warn, censure or admonish the newspaper or the editor.

Counter Comments

The complainant vide his counter comments dated 4.5.2019 while reiterating his complaint has stated that the Statue of Unity is tallest statue in the World and the same especially in Media, newspapers carries great attention across sections of society. Therefore, it is extremely important for everyone to say/write/criticize with true facts and figures towards the Iconic Statue. The complainant has reiterated that he sent a letter in Marathi to the respondent on 8.11.2018. The complainant has informed that the impugned editorial was published in all editions of Loksatta and also available on their website. The Complainant has stated that the impugned editorial written by Shri Girish Kuber, who is also Editor of Loksatta, Mumbai and part of Loksatta Group and the statement of the respondent that he should raise complaint in Pune edition just because of staying in Pune is mischievous demand and attempt of diverting the subject of his complaint. The complainant has admitted that he relied upon CAG Report, which is available on public domain. The Report clearly mentioned the amount given by the PSUs instead of published amount.

The complainant also stated that the demands clarification from Editor about the amounts mentioned in subject Editorial and if failed to provide official records for such exaggerated amounts spent by PSUs, the Editor must apologize the readers in spirit of true journalism.

Communication from Loksatta, Pune Edition

Shri Mukund Sangoram, Assistant Editor, Loksatta, Pune edition vide his communication dated 15.5.2019 has stated that the complainant has not issued any letter to Loksatta, Pune edition and therefore the complainant has failed to comply with the mandatory provisions of Press Council Act. He has further stated that the complaint is liable to be dismissed.

Rejoinder filed by Loksatta, Mumbai Edition

The respondent-Editor, Loksatta, Mumbai vide his rejoinder dated 20.5.2019 while reiterating his written statement has pointed out that the complainant has not filed formal complaint with the PCI. The complainant produced some pages purportedly from CAG report dated 7.8.2018 which says "Contribution towards this project (Sardar Patel Statue) did not qualify as CSR activity as per schedule VII of the Companies Act, 2013 as it was not a heritage asset". It also refers to only 5 CPSEs and for a specific period. Thus according to CAG not a single rupee ought to have been spent by the PSUs on the Sardar Patel Statue. The respondent has stated that none of the PSUs named in the impugned column have disputed the figures mentioned therein till date. No letters have been received from any of the PSUs by the Columnist, Shri Kuber till date. The respondent has further stated that the complainant has no personal knowledge about the amounts contributed by the PSUs over the past several years towards the Sardar Patel statue and has no locus in the matter. Further, none of the PSUs or the Government of India raised any objection to the column or its contents. The respondent stated that the impugned column was published in good faith and public interest and without malice.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2020 at New Delhi. The complainant appeared in person. The respondent newspaper, Loksatta was represented by Shri Abhijeet Negi, Advocate and Shri Mahesh, Journalist.

The complainant is aggrieved by publication of a part of a story in the issue dated 3rd Nov, 2018 in the respondent newspaper "Loksatta". In the story, it has been stated that:

Indian Oil, Oil & Natural Gas Commission, Bharat Petroleum, Hindustan Petroleum, Oil India, Gas Authority of India, Power Grid, Gujarat Mineral Development Corporation, Engineer India, Petronet India and Balmer Lawrie has contributed a sum of Rs. 900 crore, Rs. 450 crore, Rs. 450 Crore, Rs. 250 Crore, Rs. 250 Crore, Rs. 250 Crore, Rs. 125 Crore, Rs. 100 Crore, Rs. 50 Crore, Rs. 50 Crore and Rs. 6 Crore respectively for the construction of Statue of Unity of Sardar Patel. The source of this news is indicated in the news itself and it is the report of the Comptroller and Auditor General of India. It is the allegation of the complainant that the aforesaid news item is false and concocted and infact the CAG in its report to the Parliament on 7th August, 2018 had disclosed that: "Indian oil, Oil & Natural Gas Commission, Bharat Petroleum Hindustan Petroleum had contributed only Rs. 21.83 crore, Rs. 50 crore, Rs.25 crore and Rs.25 Crore respectively."

The Inquiry Committee has heard the complainant and Mr. Abhijeet Negi-Advocate for the respondent. It is the submission of the complainant that the amount alleged to have been given by the Public Sector Undertakings (PSUs) in the impugned story is false and concocted. Mr. Negi submits that the news item was published on the basis of information given by other sources. The Inquiry Committee repeatedly asked the counsel representing the respondent to show any other material which they considered before publication of the news, the counsel stoutly says that the respondent newspaper is not prepared to disclose its source. The Inquiry

Committee respects the source but in the name of source, the respondent cannot refuse to place the material which has formed the basis of the story, particularly when respondent newspaper in the story itself has disclosed the source and that is the report of the CAG.

The reference to the CAG report in the impugned story gives credence to the story. The Inquiry Committee has found that what have been published in the story is absolutely incorrect and can very well be said as concocted and figment of imagination by the newspaper. The conduct of the respondent newspaper in publishing such a story and referring to the report of the Comptroller and Auditor General of India to give the story credence aggravates the misconduct.

Learned counsel then submits what has been published in the story is not the figure picked up from the report of the Comptroller and Auditor General of India but information received from confidential sources. This submission of the counsel has only been noted to be rejected. The story itself had disclosed the source and hence this submission of the learned counsel that the newspaper relied on some other source is really beyond the comprehension of the Inquiry Committee. Had it been so, nothing prevented the respondent from producing that material without disclosing the source. In the opinion of the Inquiry Committee, this plea of the respondent is purely an afterthought.

The Inquiry Committee is of the opinion that the conduct of the respondent newspaper is reprehensible and in matters like this, newspaper ought not to have come with some imaginary figures.

The Inquiry Committee accordingly recommends that the respondent newspaper be **Censured**. A copy be forwarded to the DAVP, the Director of Information and Public Relation, Government of Maharashtra and the Commissioner of Police, Mumbai for an appropriate action as permissible in law.

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 **Censure** the respondent newspaper with the above recommended directions.

