

Adjudications Rendered by the Council on 27.05.2021

Section 14 – Complaints against the Press

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

S.No.	File/Case No.	Subject
1	14/662/18-19	Reference received from the Election Commission of India, New Delhi against the editor of DainikTej, Jaipur.
2	14/663/18-19	Reference received from The Election Commission of India, New Delhi against the editor of Rajasthan Patrika, Rajasthan. (Censure)
3	14/664/18-19	Reference received from the Election commission of India, New Delhi against the editor of ViratVaibhav, Rajasthan.
4	14/665/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Rajasthan KhojKhabar, Rajasthan
5	14/666/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Pratahkaal, Rajasthan. (Censure)
6	14/667/18-19	Reference received from the Election Commission of India, New Delhi against the Editor of DainikNavjyoti, Udaypur, Rajasthan.
7	14/670/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Rashtradoot, Rajasthan
8	14/675/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Jalte Deep, Rajasthan
9	14/676/18-19	Reference received from the Election Commission of India, New Delhi against the Editor of SandhyaJyotiDarpan.
10	14/677/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Khabron Ki Duniya.
11	14/681/18-19	Reference received from Election Commission of India, New Delhi against the Editor, "Evening Post" Jaipur , Rajasthan
12	14/682/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Times of India.
13	14/689/18-19	Reference received from Election Commission of India, New Delhi against the Editor, "SeemaSandesh" Jaipur , Rajasthan
14	14/690/18-19	Reference received from the Election Commission of India, New Delhi against the editor of HamaraSamachar, Rajasthan.
15	14/694/18-19	Reference received from Election Commission of India, New Delhi against the Editor, "Morning News" Jaipur , Rajasthan
16	14/695/18-19	Reference received from the Election Commission of India, New Delhi against the editor of DainikNavyatna, Rajasthan.
17	14/696/18-19	Reference received from the Election Commission of India, New Delhi against the Editor of SamacharJagat, Jaipur
18	14/697/18-19	Reference received from the Election Commission of India, New Delhi against the Editor 'Aas Pass', Patel Marg, Sikar, Rajasthan (Censure)
19	14/698/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Kanthal Ki Awaz, Pratapgarh, Rajasthan

20	14/699/18-19	Reference received from the Election Commission of India, New Delhi against the Editor of Jai Kanthal, Rajasthan
21	14/700/18-19	Reference received from the Election Commission of India, New Delhi against the editor of RashtraKaVachan, Rajasthan. (Censure)
22	14/701/18-19	Reference received from Election Commission of India, New Delhi against the Editor, "Jannayak" Jaipur , Rajasthan
23	14/669/18-19	Reference received from the Election Commission of India, New Delhi against the editor of Punjab Kesari, Rajasthan.
24	14/679/18-19	Reference received from the Election Commission of India, New Delhi against the editor of DainikBhaskar, Rajasthan.
25.	14/420/17-18	Anonymous complaint forwarded by Under Secretary to Govt. of India, Ministry of I&B against Shri Amar Zaidi, Journalist PTI, New Delhi
26.	14/362/19-20	Complaint of Shri Balram Singh, AawasVikas Colony, Banda against the editor of DainikAaj. (Censure)
27.	14/309/19-20	Complaint of Shri AvinashRupraoChandan, Maharashtra against the editor of DainikRajyonnati, Maharashtra
28.	57/2020A	Complaint of Shri Rajendra Singh, Commissioner, CGST & Central Excise, Surat against Gujarat Mitra
29.	14/288/19-20	Complaint of Dr.PramodMalviya, M.P. against the editor of Saanjhveer Times, Baitul
30.	14/493/18-19	Complaint of Smt. Vimla Sharma District Gwalior M.P against Chambal Chetna
31.	14/112/19-20	Complaint of Mrs.Mukta Pathak, Bhopal, Madhya Pradesh against DabangDuniya
32	14/194/19-20	Complaint of Smt. Mukta Pathak against DabangDuniya, Bhopal
33.	14/301/19-20	Complaint of Ms.Rekha Singh, Advocate, Bhopal against the Editor of DainikBhaskar, M.P. Nagar, Bhopal
34.	14/617/18-19	Complaint of Shri J.N.Nayak, Chairman, Sudarshan CHS Ltd., Maharashtra against Editor of DombivliVarta
35.	89/2020A	Complaint of Sh. Sunil GajananGodbole, Mumbai against the editor of Loksatta, Mumbai

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

<u>S.No.</u>	<u>File/Case No.</u>	<u>Subject</u>
36.	14/336/19-20	Complaint of Shri Dinesh Kumar Shukla, Allahabad against the Editor of DainikJagran, Allahabad, U.P.
37.	14/815/13-14	Review petition filed by DainikJagran in the matter of complaint filed by Shri Yogesh Chandra Sharma against DainikJagran, New Delhi.
38.	14/402/19-20	Complaint of Dr.DevjeetDatta, Satna against People Observer, Satna, Madhya Pradesh.
39.	180/2020A	Complaint of Dr. D.C. Prajapati, Vice President, Media Cell, BJP, In-charge Lok Sabha against the editor of Times of

		India
40-43.	14/294-297/19-20	Complaint of MaaVishambhariDham Charitable Trust, RABDA, Dist. Walsad, Gujarat against Editor of (i) Prajanad (ii) WalsadDarpand (iii) Dakshin Gujarat Vartman (iv) World Times.
44-45.	236-237/2020A	Complaint of Shri Anil Kumar Mishra, Prayagraj against DainikJagran and DainikAaj.
46.	14/222/19-20	Complaint of Shri Haji Abrar Hussain, Agra against Agra Bharat.
47-48	14/344-345/19-20	Complaint of Shri Rajeev Ranjan Mishra, District Basic Education Officer, Bagpat, against the Editors of Hindustan and Amar Ujala, U.P.
49-50	93-94/SM/2020A	SuoMotu cognizance with regard to publication of Obscene and Vulgar news item violating Norm 28 (I,V,VII) "Obscenity and Vulgarity to be Eschewed "of the Press Council Norms of Journalistic Conduct Edition, 2019" (Against Ahmedabad Mirror in Gujarat and Navbharat Times in New Delhi)
51.	14/583/18-19	Complaint of Shri Shamsher Singh, Yamuna Nagar against the Editor of DainikBhaskar, Bhopal
52-53.	14/342-343/19-20	Complaint of Shri Satnam Singh Soni from Ludhiana, Punjab against the Editor of Jagbani and Punjab Kesari
54-56.	14/371-372 & 399/19-20	Complaint of Shri Jamil Chauhan, Meerut against the Editors of Hindustan, DainikJagran and Amar Ujala
57.	14/317/19-20	Complaint of Shri Pankaj Gupta, Mumbai-7 against the Hindu
58.	14/237/19-20	Complaint of Shri Om Prakash Sharma, Secretary, Shribaba Public Shi. S. Senior Secondary School, Rajashtan against the Editor of Anuchar.
59.	14/133/19-20	Complaint of Shri R.K Soni, Joint Director, Local Fund Audit, Division Bhopal, 26, KisanBhawan Bhopal against the Editor of BulandRashtra, M.P.(Censure)
60.	14/311/19-20	Complaint of Shri Ram Niwas Sharma, Advocate, Satna against the Editor of RevachalRoshni, Satna, M.P.
61-62.	14/385-386/19-20	Complaint of Shri Mustafa Mandal, Indore against the Crime Darpan, Indore, Madhya Pradesh.
63.	1915/2020A	Complaint of Shri Manoj S. Agrawal, Maharashtra Pune against Editor of AajkaAnand
64.	14/424/19-20	Complaint of Shri Manoj S. Agrawal, Maharashtra Pune against Editor of AajkaAnand
65.	14/469/19-20	Complaint of Shri Kiran Ashok Krachiwala, Mumbai Maharashtra against DabangKhabre

Press Council of India

S.No. 1

F.No.14/662/Paid News/18-19-PCI

**Reference received from the Election Commission of India against
Dainik Tej, Hanumangarh, Rajasthan for publication of paid news**

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded a reference of the Chief Electoral Officer, Rajasthan, forwarded therewith confirmed paid news cases against 'Dainik Tej, Hnaumangarh, Rajasthan for publishing paid news, details of which are given as follows:

Sl.no.	In favor of and party affiliation	Caption and Date of Issue	Brief of News Item	Rates of Paid News valued to (as per DIPR/DAVP in INR)
1.	Shri Ramkishan Bhakar IND	भाकर के नामांकन दाखिल करने से चुनावी फिजा बदली Dated: 17/11/2018.	The news item reports that Shri Ramkrishna Bhakar, a coordinator of Farmer Struggle Committee and independent candidate from Nohar constituency while addressing the public at Jaat Samaj Bhawan said that Public is his God and he will remain indebted to the local people for their love and support. During the public address Mr Ram Kishan told that Nohar is suffering from backwardness due to poor development in the region. He further stated that the reason he is contesting the election is to bring relief to the people of Nohar by facilitating irrigation water and addressing all other burning issues in the region.	Rs. 13,824/-
2.	Shri Shabnam Godara, INC.	कांग्रेस प्रत्याशी शबनम गोदारा को मिल रहा हर वर्ग का अपार समर्थन Dated: 24/11/2018.	This news item reports that Congress party candidate Shabnam Godara is getting huge support from each and every group in the Assembly constituency Sangaria. During her door to door campaign in the adjoining areas she received warm welcome from the people and they showed enthusiasm. She mentioned that last election she	Rs. 10,368/-

			got defeated by a very lower margin of votes but still she did not stop working for the welfare of the people. She requested the voters to vote for her and remove BJP from the power and Congress shall do everything to bring in development in the region.	
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Reply Filed by the Respondent

A Show Cause Notice dated 22/4/2019 has been issued to the respondent editor of Dainik Tej, Hanumangarh, Rajasthan. The respondent newspaper vide letter dated 08/05/2019 submitted that the news items were published after live coverage of the public address by the correspondent of Dainik Tej from the spot and the newspaper had no prior conversation with any political parties for publishing the news. Therefore to call the news items as paid news would be disrespectful to the freedom of press. The editor assured that Tej publication will not repeat in future.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Gopal Jha, Bureau Chief represented the respondent newspaper, Dainik Tej.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith two news published in the respondent newspaper, Dainik Tej. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

***“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.*”**

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S.No. 2

F.No.14/663/Paid News/18-19-PCI

Reference received from the Election Commission of India against Rajasthan Patrika for publication of Paid News

Adjudication dated 27.05.2021

The Election Commission of India vide its letter dated 5.3.2019 has forwarded a copy of the Report dated 10.1.2019 of the Chief Electoral Officer, Rajasthan, Jaipur attaching therewith a case of confirmed Paid News against "Rajasthan Patrika" during Legislative Assembly Elections-2018. Caption, date, candidate name and cost of paid news read as follows:

S.No.	Caption & Dates	Name of candidate and party	Cost of Paid News as per DIPR/DAVP rates
1.	बागी रोचक बनाएंगे मुकाबला, अब 6 सीटों पर 86 प्रत्याशी (Dated 23.11.2018)	Sh. Laxminarayan Das, (IND)	Rs.27,588.88
2.	111 मीटर लंबी चुनरी का साफा पहनाकर किया सत्कार (Dated 30.11.2018)	Sh. Mahadev Singh Khandela, Independent	Rs.5,472
3.	अबरार ने रोड शो में दिखाई ताकत (Dated 2.12.2018)	Sh. Danish Abrar, (INC)	Rs.2,592
4.	सीवरेज योजना शुरु कराऊंगा (Dated 4.12.2018)	Sh. Rajendra Pareek, (Congress)	Rs.990

In the first news item dated 23.11.2018, the respondent newspaper while publishing the photograph of independent candidate, Shri Laxminarayan Dave along with his election symbol has reported that the rebellion from BJP and former minister, Shri Laxminarayn Dave and the rebellion from Congress and the former MLA, Shri Khushveer Singh Jojawar from Marwar Junction constituency have maintained their ground and are making a four party quadrangle fight on this seat. Here both BJP and Congress are under pressure.

The second impugned news item dated 30.11.2018 has reported that five times MLA from Khandela assembly seat of Sikar, Shri Mahadev Singh Khandela this time is an independent candidate after rebelling from Congress. His supporters are so enthusiastic that they welcomed him in a gathering at Ringas on Thursday by turbaning him with 111 meter long Chunari.

Third impugned news item dated 2.12.2018 has reported that people assembled in a huge number in favour of Shri Danish Abrar, Congress candidate

from the Sawai Madhopur constituency, a public meeting was held on Saturday in a road show taken out of the city. During this time people welcomed Shri Abrar at different places. Shri Abrar's public relations with the supporters in Madosinghpura, Bairwa Basti, Saini Basti, New Basti, Padana, Khatupura, New Padana, Bhadoti Ka Tapra, Ganga sati's Tapra, Khilchipur, Janakpur Dhani, Kutalpura Maliaan, Mathurapur. It has been further reported that, he challenged the voters to vote in favour of the Congress party by casting public relations at Chakchainpura, Cement Factory, GG Quarter, Housing Board, Railway Colony. In the evening, the road show started in the city. Congress worker, Pinti Bhardwaj welcomed Shri Abrar by putting Tilak on his forehead with his blood on Nagar Parishad circle.

The fourth impugned news item dated 4.12.2018 read as follows:

"I will start construction of Sikar Medical College, Shekhawati University building and second phase of sewerage plan"

*Rajendra Pareekh,
Congress, Sikar*

Show-cause notice was issued to the respondent newspaper, Rajasthan Patrika on 22.4.2019.

Written Statement

Shri Raghunath Singh, Sr. General Manager, Rajasthan Patrika vide his written statement dated 17.7.2019 while denying the allegation of publication of paid news has stated that the complaint is totally baseless and prima facie liable to be dismissed. The respondent has further stated that attention of the newspaper has not been drawn towards the impugned publications before filing the complaint as per Section 3(c) of Press Council (Procedure for Inquiry) Regulations, 1979, therefore, the complaint is liable to be dismissed.

With regard to the first impugned news item dated 23.11.2017, The respondent has stated that the newspaper only published the circumstances arose after withdrawal of the nomination by the candidates from different constituencies during the election and the newspaper had published the news not in relation to one seat or candidate, but in respect of rebel candidates on six seats, which cannot be considered as paid news in any way. Similarly, the second impugned news dated 30.11.2018 was also published in a general sequence on the basis of the actual events of welcoming the candidate by his supporters during an election program. The respondent has further stated that the third impugned news item dated 2.12.2018 was also based on the events that took place in the public gathering of the candidate. Similarly, the fourth impugned news dated 4.12.2018 was also published according to the resolution/commitment given by various candidates during election. The respondent has stated that there is no legal basis to categorise these impugned news items as Paid News. The respondent has further stated that he had no motive to promote any particular person/candidate and political party. The respondent has also stated that he had not received any amount for publication of these impugned news items. He has requested the Council to dismiss the complaint.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated

05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Despite service of notice, the respondent has not chosen to appear. They have filed the reply. The Inquiry Committee has perused the papers and also reply filed by the respondent.

This complaint has been registered on the basis of reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report dated 10th of January, 2019 of the Chief Electoral Officer, Rajasthan, Jaipur. In the report of the Chief Electoral Officer, the recommendation of the District level MCMC has also been submitted. Four news items published in the respondent newspaper, Rajasthan Patrika have been found to be paid news.

The Council has laid down the principles for determination of the paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular

thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine each of the news item which are the subject matter of this inquiry. The first news item dated 23.11.2018 in which the name of the candidate alongwith his election symbol has been published. In the reply filed by the respondent, there is no explanation at all as to why his photograph and symbol were chosen for publication. In the opinion of the Inquiry Committee if the respondent newspaper had chosen to publish name and symbol of an individual candidate, it was incumbent upon it to publish the symbol and names of all other Political parties contesting the said election. The respondent newspaper has chosen to publish the name and symbol and picture of an independent candidate which go to suggest that this part of the news is paid news. The Inquiry Committee, accordingly, upholds the said portion of the news to be paid news.

As regards the news items published on 13th of November, 2018 and 2nd of December, 2018, the Inquiry Committee is of opinion that its contents and manner of presentation do not suggest that those are paid news.

As regards 4th news item published on 4th December, 2018, the Inquiry Committee is of the opinion that the manner of the presentation of the said news clearly goes to suggest that it is paid news. Promise made by the particular candidate alongwith photograph without any other reference clearly confirms that it is paid news.

Accordingly, the Inquiry Committee recommends that the respondent newspaper be **Censured** for two news referred to above which have been found to be paid news.

The Inquiry Committee also recommends that a copy of this Order be forwarded to the Election Commission of India, the Chief Electoral Officer of the State of Rajasthan, the Bureau of Outreach and Communication, the Director of Information and Public Relations, Rajasthan and the District Magistrate, Jaipur.

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. 3

F.No.14/664/Paid News/18-19-PCI

Reference received from the Election Commission of India against Viraat Vaibhav, Jaipur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded copy of report of the Chief Electoral Officer, Rajasthan attaching therewith paid news case against 'Viraat Vaibhav', Jaipur, Rajasthan for allegedly publishing following paid news in favour of the candidate.

Sl.no.	In favour of and party affiliation	Caption and Date of Issue	Brief of News Item	Rates of Paid News valued to (as per DIPR/ DAVP in INR)
1	Shri Hansraj Patel, Nirdaliya	गुर्जर व सर्वसमाज के पंच पटेलों ने निर्दलीय हंसराज को दिया समर्थन Dated: 22/11/2018	The news item reports that after being refused BJP's ticket for the assembly elections, Mr Hansraj Patel is getting immense support from all the society and arbiters of the Gurjar Society and a meeting was held at the residence of independent candidate Mr Hansraj, where the Gurjars have shown their solidarity to stand by him for the assembly elections.	Rs 4207/-
2	Shri Hansraj Patel, Nirdaliya	हंसराज के समर्थन में चार गुर्ज प्रत्याशियों ने की नाम वापसी Dated: 23/11/2018	This news item states that after being refused BJP party ticket for the Assembly Election independent candidate Mr Hansraj Patel is getting full sympathy of the whole region including Gurjar Society. With reference to this, the Gurjar Society and the arbiters of all the society held a meeting at Hansraj's residence and showed their support to him. Gurjar arbiters decided that Mr Hansraj Patel withdraw his nomination for the 2008 General Elections, on the decision of Gurjar Society, thus it is a payback time to Mr Patel and as BJP has deceived Mr Patel by not issuing him ticket for the General Election 2019. Four	Rs. 1555/-

			candidates of Gurjar society withdrew their nominations for the upcoming elections to support Mr Hansraj Patel and make him victorious.	
3	Shri Rajendra Singh Yadav, Congress	कांग्रेस प्रत्याशी राजेन्द्र सिंह यादव को मिल रहा भारी जन समर्थन Dated: 23/11/2018	The news item reports that Mr Rajendra Singh Yadav , a Congress candidate visited more than dozens of villages and asked for public support in the upcoming Assembly Elections. During the campaign he was welcomed by the villagers who promised to make him victorious by massive votes in the upcoming Elections. During addressing the people Mr Yadav told that BJP Government has created hinders in the path of development in Kotputli because Congress party MLA was elected from Kotputli. The people of Kotputli may let the Congress come to government this time and Congress's first priority would be giving the status of a district to Kotputli and work towards the development of Kotputli. The news item further added that congress party has always worked for the wellbeing of every caste of the society. So the Congress party should be made winner with massive votes.	Rs. 4990/-
4.	Shri Subhas Garg, BJP	भाजपा की कथनी और करनी में जमीन आसमान का अंतर Dated: 01/12/2018.	The news item covers the political campaign of Shri Ashok Gehlot, General Secretary, Congress and Shri Ajit Singh, President, Rashtriya Lok Dal, at a public meeting held at Gramin Haat in support of Rashtriya Lok Dal candidate Dr Subhash Garg supported by Congress Party. While addressing the public, Mr Gehlot chastised BJP by saying that there is a huge difference between mere saying and acting accordingly. The news item states that Mr Ashok Gehlot and Mr Ajit Singh while addressing the crowd during political campaign mocked Modi Government and its way of functioning. Though BJP has promised employment to youths but	Rs. 5154/-

			<p>in reality it has embarrassed farmers, youths and labourers by implementing demonetisation. Mr Gehlot further, stated that even the economic advisor to Modi told that it was a wrong decision. He further stated that businessman are badly affected by the GST and described CM of Rajasthan, Smt. Vasundhara Raje as the queens of palaces and himself as the beggar for the public as during his tenure as the CM of Rajasthan he went to Delhi and voiced demanding free wheat for the poor and in return he was called a beggar by Smt Raje.</p> <p>Further the news item states that Modi Government has been called the Government of Suit and boot. Mr Ajit Singh mocked the government by saying that 'ache din' has come for Modi since 2014 and not for the people of India. Modi government does not favour the farmers, youths or the poor. Irrespective of promising to bring back all the black money home. Modi's people themselves are taking money out of nation.</p>	
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Reply Filed by the Respondent

A Show Cause Notice dated 11/4/2019 has been issued to the respondent editor of Viraat Vaibhav, Jaipur, Rajasthan, followed by a reminder dated 17/06/2019. In response, Viraat Vaibhav vide written statement dated 26/06/2019 submitted that the newspaper Viraat Vaibhav is functioning since last 6 years and Viraat Vaibhav has published the news item on 1.12.2018 which is based on news gathered by its reporter covering the political campaign prior to the Assembly poll. Viraat Vaibhav would never take money to publish news item in favour of any political party. It did not take any money to either malign or report biased news item in favour of any political party.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Faheem Ahmad, Sr. Reporter represented the respondent newspaper, Viraat Vaibhav.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith four news published in the respondent newspaper, Viraat Vaibhav. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner

of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S.No. 4

F.No.14/665/Paid News/18-19-PCI

Reference received from the Election Commission of India against Rajasthan Khoj Khabar, Jodhpur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded copy of report of the Chief Electoral Officer, Rajasthan, has forwarded confirmed paid news reference against Khoj Khabar, Jodhpur, Rajasthan in favour of the candidate as mentioned below:

Sl.no.	In favor of and party affiliation	Caption and Date of Issue	Brief of News Item	Rates of Paid News valued to (as per DIPR/ DAVP in INR)
1.	Shri Subhas Garg, BJP	RLD उपाध्यक्ष चौधरी का दो दिव्वासिया डोरा समाप्त: Dated: 28/11/2018.	The news item reports that campaign of RLD vice president Shri Jayant Choudhury in support of Rashtriya Lok Dal candidate Shri Subhas Garg also supported by Congress was unexpectedly successful in Bharatpur constituency. Shri Jayant Choudhary while addressing public said that to raise the voice of the farmers in Rajasthan Vidhan Sabha the Party has chosen a son of farmer to contest the election from Bharatpur constituency and solve the problems of the farmers in Bharatpur. He further stated that the party's main priorities are water to the field of farmers, fair price of crop, employment to youths and to give improved facilities in Bharatpur city. Rural population showed huge support for the campaign. He has promised to prioritise Farmers' needs after they get into power in Bharatpur.	Rs. 7749/-

2	Shri Rajesh Goyal, Nirdaliya	राजू चक्की को मिल रहा है सर्व समाज का समर्थन लगा रहे हैं पूरा दमखम Dated: 02/12/2018	This news article talks about the increasing popularity of Sawai Madhopur's independent contender to the assembly election Mr Rajesh Goyal popularly called Raju Chakki. Raju Chakki has gained immense popularity as an independent candidate in the elections which was proved during the road show and now who is going to win the election is yet to be seen.	Rs. 2016/-
3	Shri Hansraj Meena, BSP	भाजपा व कांग्रेस ने बाटा जातियों में: हंसराज मीणा Dated: 02/12/2018	This article reports in favour of BSP party where it is reported that BSP's popularity amongst the lower caste rural population and upper caste is gaining momentum. BJP and Congress are only being able to contest election from the Sawai Madhopur constituency because BSP is allowing it. BSP supremo Mayawati favoured raising the upper caste in rally organized in Nandbai Bharatpur. BJP and Congress in Sawai Madhopur have not done any developmental work for the Dalit instead have tried to raise their vote banks by playing caste politics.	Rs. 4032/-
4.	Shri Hansraj Meena, BSP	भाजपा के हंस को मिल रहा है समर्थन, व्यापारियों ने किया स्वागत Dated: 03/12/2018	The article reports that Bahujan Samajwadi Party's candidate, Shri Hansraj Meena is getting immense support from the people in the urban areas and rural areas too. Shri Hansraj Meena is popularly called BSP's swan and during his campaign he was welcomed by the traders located in rural areas. People welcomed him with garlands and saffa.	Rs. 3456/-
5.	Shri Hansraj Meena, BSP	भाजपा व कांग्रेस नहीं दे सकती गुड गवर्नेस की सकार - हंसराज मीणा. Dated: 05/12/2018	The news item reports that in Sawai Madhopur assembly seat these days congress party's competitor Mayawati has turned a huge threat to Congress. BSP is getting the votes from the rural Dalit and also the upper castes settlers in the rural areas which are not going down well with BJP. Hans said that Congress party	R. 5400/-

			only lies and they are trying to spoil the chances of BSP to win the election from Sawai Madhupur Constituency in the assembly election by bribing the masses.	
6.	Shri Rajesh Goyal, Nirdaliya	२५ साल पहले जैसे लालटेन जलाकर नरेंद्र कँवर को जिताया था वही अलख फिर से जला दो राजू चक्की Dated: 05/12/2018	The news article states that Shri Rajesh Goyal alias Raju Chakki is going to be the winner this time from Sawai Madhopur district. His popularity amongst the masses is a big threat to the opposition parties like BJP and Congress. Once Shri Raju Chakki was supposed to get party ticket from BJP but was denied and now he poses threat to BJP as the road show has turned out to be a huge success and Raju Chakki is a very strong contender from Sawai Madhopur constituency.	Rs. 7200/-

No Reply Filed by the Respondent

A Show Cause Notice dated 15/4/2019 has been issued to the respondent editor of Rajasthan Khoj Khabar, Jodhpur, Rajasthan, followed by a time bound reminder dated 06/06/2019. However no response has been received on the same.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Neither the complainant nor the respondent has chosen to appear.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith six news published in the respondent newspaper, Rajasthan Khoj Khabar. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 5

F.No.14/666/Paid News/18-19-PCI

Reference received from the Election Commission of India against Pratah Kaal for publication of Paid News

Adjudication dated 27.05.2021

The Election Commission of India vide its letter dated 5.3.2019 has forwarded a copy of the letter dated 10.1.2019 of the Chief Electoral Officer, Rajasthan, Jaipur forwarding therewith Paid News case against “Pratah Kaal” during Legislative Assembly Elections-2018. Details of paid news are as follows:-

<u>S.No.</u>	<u>Caption & Dates</u>	<u>Name of candidate and party</u>	<u>Cost of Paid News as per DIPR/DAVP rates</u>
1.	छह घंटे में एक लाख मतदाताओं से संपर्क (Dated 26.11.2018)	Shri Praveen Ratlia, (Independent)	Rs.10,436/-
2.	भाजपा की कथनी और करनी में जमीन आसमान का अंतर-गहलोत (Dated 1.12.2018)	Shri Subhash Garg, (Rashtriya Lok Dal)	Rs.10,080/-

It has been reported in the first impugned news item dated 26.11.2018 that one lakh voters were contacted by the workers of the Independent candidate from Udaipur City Constituency, Shri Praveen Ratlia in six hours in a day, which is record campaign itself in Rajasthan. It has been further reported that the voters gave immense support to Shri Ratlia and named it “VIJAY DIWAS”

It has been reported in the second impugned news item that General Secretary of Indian National Congress and former Chief Minister of Rajasthan, Shri Ashok Gehlot and the President of Rashtriya Lok Dal, Shri Ajit Singh addressed a public meeting at Grameen Haat in support of Rashtriya Lok Dal candidate, Shri Subhash Garg. Shri Gehlot attacked BJP stating that there is a major difference between saying and doing of BJP. BJP government promised to give employment to two crores youths and to deposit fifteen lakh rupees in all accounts but BJP Government embarrassed farmers, youths and labours by bringing demonetisation. Shri Gehlot further said that all sections of society including businessmen are badly affected with GST. He described Chief Minister of Rajasthan, Ms. Vasundhara Raje as “queen of palaces” and himself as beggar for public. He told that when he was the Chief Minister, he went to Delhi and demanded wheat for poor and Ms. Vasundra Raje then commented that he is begging in Delhi. Shri Gehlot also said Ms. Vasundhara Raje closed many schemes launched by his government. He told that unemployment have gone to such dangerous level that in UP that 200 engineering colleges have been shut down. He described BJP as anti-farmers and told that Swaminathan report is not being implemented and farmers are not getting minimum support price. He told that BJP gives protection only to big industrialists.

Show-cause notice was issued to the respondent-Editor, Pratah Kaal, Udaipur on 22.4.2019.

Written Statement

Shri M.L. Jain, Proprietor, Pratah Kaal vide his written statement dated 6.5.2019, 8.10.2019 and 6.2.2021 has submitted that the impugned news item dated 26.11.2018 under the caption “छह घंटे में एक लाख मतदाताओं से संपर्क” was totally based on facts and no money was received from the concerned candidate, Shri Praveen Ratlia. According to the respondent, Shri Ratalia started the election campaign with total 150 groups in Udaipur constituency on 25.11.2016. Being such first big campaign in Udaipur, their correspondent sent the news along with photo to the office, which was published after its confirmation and proof. It is ever first such large campaign in the city, which is exemplary and news published was a factual ground reporting by the reporter and therefore it is not paid news.

With regard to the impugned news item dated 1.12.2018 under the caption “भाजपा की कथनी और करनी में जमीन आसमान का अंतर-गहलोट”, the respondent has stated that the impugned news item was totally based on the facts and speech given by the speakers, Shri Ashok Gehlot and Shri Ajit Singh and no money was received by them for publication of the same. According to the respondent, on receiving advertisement from any candidate or party, they have published the same as per rules and also issued receipt for the same. It is not their responsibility whether the candidate concerned included it in his election expenses or not. He has requested the Council to withdraw the Notice.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri G.M. Pandey, Reporter represented the respondent newspaper, Dainik Pratah Kaal.

This case has been registered on the basis of a reference made by the Election Commission of India vide its letter dated 5th of March, 2019. Alongwith the said letter the Election Commission of India has forwarded Report dated 10th of January, 2019, of the Chief Electoral Officer, Rajasthan. In the said letter of the Chief Electoral Officer, two news items published in the respondent newspaper, Pratah Kaal have been found to be paid news. The Inquiry Committee has perused the aforesaid communication and the report of the Chief Electoral Officer as also Written Statement filed by the respondent newspaper.

The Council has laid down guidelines for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

The Inquiry Committee has perused the two news items bearing in mind the principles laid down aforesaid and finds that the first news item with the headline that “the Candidate contacted One Lakhs voters in six hours” is paid news. The manner of presentation of the said news and contents thereof leave no doubt that it is a paid news.

As regards the 2nd news item published in the respondent newspaper on 1st December, 2018, the Inquiry Committee is of the opinion that it is the statement given by a Political leader and therefore, cannot be termed as paid news. Accordingly, the Inquiry Committee recommends that the respondent newspaper be **Censured** for the aforesaid news which has been held to be paid news. A copy of this Order be forwarded to the Election Commission of India, the Chief Electoral Officer of the State of Rajasthan and the Director, Information and Public Relations of Govt. of Rajasthan and the District Magistrate, Udaipur and the Director, Bureau of Outreach and Communication, New Delhi.

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. 6

F.No. 14/667-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against The Editor, Dainik Navjyoti, Udaipur, Rajasthan regarding publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide communication dated 05.03.2019 has forwarded references pertaining to 'Dainik Navjyoti', Rajasthan for allegedly publishing paid news on the following dates, captions and the cost of the news as valued by the DIPR/DAVP rates:-

S.No.	Dated	Captions	Name of the candidate	Rates valued in rupees by DAVP
1.	20.11.2018	भाजपा प्रत्याशी मानसिंह के स्वागत मे बिछाये पालक पावड़े	Shri Man Singh Gurjar (BJP)	12915/-
2.	21.11.2018	तीसरे मोर्चे ने बिगाडे भाजपा-कांग्रेस के समीकरण	Shri Shanti Lal Dhobi (RLP)	1296/-
3.	22.11.2018	मवली से बागी कुलदीप सिंह सहित पाँच के नाम वापसी	Shri Pushkar Lal Dangi (INC)	2161/-
4.	23.11.2018	काँग्रेस को पैराशूट प्रत्याशी से नुकसान	Shri Shantilal Dhobi (RLP)	7308/-
5.	25.11.2018	महिला की व्यथा सुनकर भावुक हुए अँजना	Shri Uday Lal Anjana (INC)	1512/-
6.	25.11.2018	काँग्रेस प्रत्याशी राजेश अग्रवाल को मुस्लिम समाज ने दिया समर्थन	Shri Rajesh Agarwal (INC)	11520/-
7.	26.11.2018	40 वर्ष मे जो नहीं हुआ विकास, वह पाँच वर्ष मे हो गया	Shri Lalit Ostwal (BJP)	5292/-
8.	27.11.2018	काँग्रेस प्रत्याशी अमर सिंह के लिए राह कठिन	Smt. Ritu Banawat (BJP)	2016/-
9.	02.12.2018	मली समाज ने साफा बांध कर किया स्वागत	Shri Rajesh Agarwal (INC)	3960/-
10.	05.12.2018	भाजपा के कुशासन का करे अंत: राजेश	Shri Rajesh Agarwal (INC)	6336/-

It is reported in the impugned news item dated 20.11.2018 that BJP candidate, Shri Mansingh Gurjar from Assembly Gangapur City, on Monday with enthusiasm and zeal among BJP workers and leaders from hundreds to thousands in the form of a procession in the main market from Bansal Marriage Garden. During this time, BJP supporters were dancing and people of all the societies and classes welcomed Shri Mansingh by wearing him garland and saffron. At the time of nomination, six to seven thousand people were present.

It has been reported in impugned news item dated 21.11.2018 that the equation of BJP-Congress has worsened due to entry of the third front contestant in the Kapasan Assembly Seat. On the last day of filing of nomination, Shri Shantilal Dhobi, the candidate of the National Democratic Party made a huge crowd in the procession and realized his strength. In this procession, every Gram Panchayat level activists of the entire assembly filed their presence.

It has been reported in the impugned news item dated 22.11.2018 that now there is no big challenge in front of Shri Pushkar Dangi as the maximum votes in mavli are of Gameti's and Dangi's and Pushkar Dangi's chance is being considered better than Joshi.

It is reported in the impugned news item dated 23.11.2018 that Beniwal party's candidate, Shri Shantilal Dhobi has been engaged in the campaigning of voters by visiting two dozen areas everyday in his constituency. It is known that at any time Jat voters are casting the traditional vote of the Congress, but at the same time, both the BJP and Congress are divided due to the split of these votes due to Jat leader Beniwal's party being in the peace-keeping Dhobi grounds.

It is reported in the news item dated 25.11.2018 that Congress candidate Shri Udaylal Anjana got emotional during campaigning when an old lady narrated her grievance that during the Congress tenure, she used to get wheat without any problem but now it has become difficult to survive due to not getting wheat and due to other reasons. On this, his eyes came into tears and he said that her problems will soon be sorted out. Further, during the public meeting, Anjana started drinking water from a farm in the village then the villagers stopped him from drinking that water. On this, he asked are villagers drink this water or not? They replied that the villagers drink this water several times. He said if the villagers can drink this water then what's the problem with him to drink the same and he also drank water from that farm.

It is reported in the impugned news item dated 25.11.2018 that Muslim community at Gangapur City garlanded Congress candidate, Shri Rajesh Agrawal at Jama Masjid and assured him full support. Further, Agarwal community and Gurjar samaj also welcomed Shri Rajesh Agrawal. Shri Agarwal visited various areas of his constituency and he was welcomed by all sides with floral garlands. There is wave of happiness among the congressmen with the massive support given to him.

It is reported in the impugned news item dated 26.11.2018 that the Mangalad intersection located on the Chittaurgarh-Udaipur highway is prominent in such intersections of the district, where there is a large number of vehicles throughout the day, and there is no other such intersection in the district, where the traffic is so much more keep pressing. In the electoral atmosphere, this intersection is also not

untouched by it, which comes in the large constituency, where the BJP candidate's viral hoardings are drawing attention of everyone, but there is no hoarding on behalf of the Congress nominee so far. People told that due to BJP candidate, Shri Lalit Ostwal from Mangalwar, it is natural to get the benefit from him here due to his clearly clean and unblemished image, voters can go with him.

It is reported in the news dated 27.11.2018 that although there is environment of change in favour of the Congress party in the state, a tough competition is given by the BJP candidate Ms. Ritu Banawat to the Congress candidate, Shri Amar Singh from the Bayana Roopwas constituency. BJP candidate Ms. Ritu Banawat has been active in this constituency since last seven years so she is getting support from gurjar dominated areas so congress candidate is in difficult position. If this support of gurjar community converts into voting congress candidate may lose this fight. In gurjar area, villagers in many villages, have not seen face of congress candidate yet. In contrast BJP candidate Ms. Ritu Banawat and BSP candidate Shri Sunil Jatav are carrying their campaign in full swing respectively.

It is reported in the news item dated 2.12.2018 that Congress candidate Rajesh Agawal along with his supporters participated in the Annakoot program organized by Mali society and he was welcomed by the Chiefs of the Mali community by making saffron and garland. Congress media in-charge said that the villagers welcomed Shri Rajesh Agrawal with saffa and garland at different places and gave him warm welcome.

It is reported in the news item dated 5.12.2018 that Congress candidate Shri Rajesh Agrawal made a road show with his supporters. Shri Kailash Mangalam, Congress media in-charge told that thousand workers gathered in the road show and they set up supporter's, flags on motor cycles. In the rally, merchants flossed flowers at the candidate in the streets and he was greeted with wreaths and saffa with warm welcome. In the evening, he was welcomed by muslim community at mosque located at Medina Chuli Gate. Shri Agrawal said that now it is time that misdeeds of misguided government for false promises made by the BJP are exposed. The BJP government will be defeated by the Congress as the Congress party itself believes in everyone's development and 36 communities are with us. Shri Agarwal appealed to vote for Congress for the development of the region.

Reply filed by the respondent

A Show-Cause Notice dated 22.04.2019 was issued to the respondent Editor, Dainik Navjyoti, Udaipur, Rajasthan followed by Time bound Reminder dated 20.06.2019. In reply, the respondent vide letter dated 03.07.2019 denied the allegations and submitted that the newspaper has never been in support of the candidate of any area and never get influenced. Despite having competition among the newspapers, the respondent newspaper maintains principles of journalism. He stated that by over viewing the news item, it would be clear that the newspaper has published only the public meetings, parts of conversation of voters of the areas and only the actual events in sequence. Further, the newspaper has not claimed anywhere that victory of particular candidate is certain and the candidate of the particular party would be the legislature. The newspaper is giving equal publicity to all the candidates and is playing important role in public awareness work. The respondent has requested to accept their submission keeping positive view.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Shivesh Kumar Garg and Shri Anirudh Kumar Pandey, Advocates represented the respondent, Dainik Navajyoti.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith 10 news published in the respondent newspaper, Dainik Navajyoti. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication

would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S. No. 7

File no. 14/670/paid news/18-19/PCI

Reference received from the Election Commission of India, New Delhi regarding Paid News against Rashtradoot.

Adjudication dated 27.05.2021

The Election Commission of India vide its letter dated 5.3.2019 has forwarded a copy of the Report dated 10.1.2019 of the Chief Electoral Officer, Rajasthan, Jaipur attaching therewith a case of Paid News against "Rashtradoot" during Legislative Assembly Elections-2018. Caption, date, candidate name and cost of paid news read as follows:

S.No.	Caption & Dates	Name of candidate and party	Cost of Paid News as per DIPR/DAVP rates
1.	राजपुरोहित समाज की बैठक Dated 16.11.2018	Sh. Dana Ram Choudhary BJP	Rs.1903/-
2	काँग्रेस प्रत्याशी को दिया बसपा नेता ने समर्थन Dated 2.12.2018	Shri Himanshu Katara INC	Rs.3,168/-
3	भाजपा प्रत्याशी आशा मीना के रोड शो मे उमड़ा जन सैलाब Dated 29.11.2018	Ms. Asha Meena BJP	Rs.3,888/-
4	अबरार के रोड शो मे उमड़ा शहर Dated 2.12.2018	Shri Danish Abrar INC	Rs.6,912/-
5	काँग्रेस प्रत्याशी राजेश अग्रवाल को फलो से तोला Dated 29.11.2018	Shri Rajesh Agrawal INC	Rs.3,645/-
6	सीकर मे दमदार बागियो ने काँग्रेस ओर भाजपा मे मचाई खलबली Dated 21.11.2018	Shri Sonhan Jhuriya, Independent	10,080/-
7	गुर्जर व सर्व समाज के पंच पटेलों ने निर्दलीय हंसराज को दिया समर्थन Dated 22.11.2018	Shri Hansraj Patel, Independent	Rs.7,722/-
8	चुरु मे काँग्रेस प्रत्याशी रफीक मण्डेलीया चुनाव प्रचार मे पिछड़े	Shri Rajendra Rathore BJP	Rs.1,620/-

	Dated 28.11.218		
9	पिलानी- सादुलपुर हाइवे की स्वीकृति कस्वा ने ही कराई Dated 4.12.2018	Shri Ramsingh Kaswa BJP	Rs.1,188/-
10	संतोष मेघवाल ने किया रोड शो Dated 4.12.2018	Smt. Ramlal Meena INC	Rs.864/-

It has been stated in first impugned news item dated 16.11.2018 that a meeting was organised at BJP Election office in Sanchoe where representatives of Rajpurohit and Purohit Society along with BJP leaders were present. During the meeting, a decision was taken by Rajpurohit society that they will support BJP Candidate Shri Dana Ram Chaudhary in Legislative Assembly to empower BJP in Rajasthan and in centre.

Second impugned news item dated 02.12.2018 reports that the regional leader and District Council Member of BSP, Shri Pushpender Singh under the leadership of Shri Sachin Pilot, State President of Congress has decided to support Congress candidate , Shri Himanshu Katara. According to Shri Pushpender Singh, people of the State have started disliking BJP Government.

It has been stated in third impugned news item dated 29.11.2018 that Smt. Diya Kumari, an outgoing legislator, during her tour in Sawai Madhopur District, had appealed people to vote in favour of Smt. Asha Meena, a candidate of BJP. During the road shows, people welcomed Diya Kumari and gathered to get a glimpse of her. People gathered in hundreds and they started taking photos with her. During this, while talking to the media, she said that once again the BJP government will be formed in the State.

It has been stated in the fourth impugned news item dated 2.12.2018 that in the support of the Congress candidate, Shri Danish Abrar from the Sawai Madhopur Assembly constituency, a road show took place where people gathered in large number. During campaigning, Shri Abrar was weighed with fruits and laddos at different places. He was welcomed with floral shower all over the city. He appealed the voters to vote in favour of the Congress party. Meanwhile, Congress worker Shri Pinti Bhardwaj welcomed Shri Abrar by putting tilak on forehead with his blood on City Nagar Parishad circle.

It has been stated in the fifth impugned news item dated 29.11.218 that the Congress candidate, Shri Rajesh Agarwal during public meeting was welcomed by garland and saaffa. He was weighed with fruits in Koli Pada. On this occasion, hundreds of people from the society including the elderly Panch, Patel, Gangaram, Sualaal, Bhorolal, Babulal, Harilal, Basanta, Rajendra and Ramjilal were present.

It has been stated in the sixth impugned news item dated 21.11.2018 that four strong rebel candidates in Sikar have caused commotion in both BJP and Congress. In the eight assembly constituencies of Sikar District except for Shri Suresh Modi(a Congress candidate), rest are called outsiders. In these constituencies, the equations points out that there is no possibility of a close tussle. It has been further reported that one Shri Wahid Chauhan who is at present anti Congress

candidate, showed displeasure for not getting ticket from Congress and filled up nomination from Hanuman Beniwal's party. It is evident that this time Shri Wahid Chouhan will secure 25,000 Muslim and 15,000 Hindu votes.

It has been stated in the seventh impugned news item dated 22.11.2018 that the politics of the area is constantly taking new turns on the upcoming assembly elections. On the point of the refusal of the BJP's ticket in the last moment, the feeling of sympathy seems to take place in the people for independent candidate, Shri Hansraj Patel. Regarding this, a meeting of the representatives from all the society and arbiters of Gurjar society was held at Patel's residence where they assured to support Shri Hansraj Patel.

It has been stated in the eighth impugned news item dated 28.11.2018 that in election propaganda, the candidate of Congress, Shri Rafiq Mandalia is lagging behind in election propaganda from BJP candidate, Shri Rajender Rathod. Shri Mandalia is trying to woo the voters in his favour by alleging serious charges of corruption on Shri Rathod. On the other hand, Shri Rathore is seeking votes on issue of development and his presence among the people.

It has been stated in the ninth impugned news item dated 4.12.2018 that Union Minister, Shri Nitin Gadkari while addressing a meeting in support of BJP candidate and former MP Shri Ram Singh Kaswan said that Pilani Sadulpur National Highway got sanction because of MP, Shri Rahul Kaswan as he came to him for the development work of his area. He further stated that he retorted the Congress claim of sanctioning the Pilani Sadulpur NH (709).

It has been stated in the tenth impugned news item dated 4.12.2018 that Smt. Santosh Meghwal, an independent candidate, Bidasar along with thousands of supporters lead a road show urging voters to cast their vote in her favour. Smt. Santosh while addressing people said that she is their daughter and will get development work done in the area.

The MCMC in its meetings held on 29.11.2018, 3.12.2018, 4.12.2018, 5.12.2018, 6.12.2018, 8.12.2018 and 10.12.2018 considered the above mentioned news items as Paid News.

A Show Cause Notice dated 11.4.2019 followed by a time bound reminder dated 18.6.2019 was issued to the respondent Editor, Rastradoot.

Written Statement

The Executive Editor, Rashtrdoot vide Written Statement dated 5.9.2019 submitted about the impugned news items published under various captions that the Rashtrdoot neither published Paid news nor supported such kind of activities. The said newspaper is known since 1951 for publishing true and factual news. As regards these alleged Paid News are concerned, these were published in almost all the newspapers of the State. Impugned news items are based on the address of the leaders during their public meetings.

The Executive Editor, Rashtrdoot vide his another letter dated 23.10.2019, while denying the allegation of publishing paid news has stated that neither the district/state authority or ECI issued any notice to them nor asked any clarification

with regard to publication of paid news but despite that the matter has been placed before the Hon'ble Council levelling allegation of paid news. He has further stated that other newspapers of the State also published the similar news. He has also stated that the matter is prima facie liable to be dismissed.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Sonu Yadav, Regional Manager, Rashtradoot represented the respondent newspaper, Rashtradoot.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith 10 news published in the respondent newspaper, Rashtradoot. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the

course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

coverage done by several correspondents, Reporters at the visit and press conference of Shri Jayant Chaudhary. Therefore, the publication does not come under the category of paid news.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Jairam, appeared on behalf of the respondent newspaper, Jalte Deep.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith one news published in the respondent newspaper, Jalte Deep. In the opinion of the Chief Electoral Officer this is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election

Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S.No.9

F.No. 14/676/Paid News/18-19-PCI

Reference received from the Election Commission of India against Sandhya Jyoti Darpan, Evening Daily, Jaipur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide its letter dated 5.3.2019 has forwarded a copy of the communication dated 10.1.2019 of the Chief Electoral Officer, Rajasthan attaching therewith a case of alleged paid news against “Sandhya Jyoti Darpan” for publishing news under the caption “काँग्रेस समर्थित राष्ट्रीय लोकदल प्रत्याशी के समर्थन में की जनसभा” in its issue dated 1.12.2018 during Legislative Assembly Election-2018 in favour of Rashtriya Lok Dal candidate, Shri Subhash Garg. The impugned news item valued at Rs.10,368/- as per DIPR/DAVP rates.

It has been reported in the impugned news item that General Secretary of Indian National Congress and former Chief Minister of Rajasthan, Shri Ashok Gehlot and the President of Rashtriya Lok Dal, Shri Ajit Singh addressed a public meeting at Grameen Haat in support of Rashtriya Lok Dal candidate, Shri Subhash Garg. Shri Gehlot attacked on BJP stating that there is a major difference between saying and doing of BJP. BJP government promised to give employment to two crores youths and to deposit fifteen lakh rupees in all accounts but BJP Government embarrassed farmers, youths and labours by bringing demonetisation. Shri Gehlot further said that all sections of society including businessmen are badly affected with GST. He described Chief Minister of Rajasthan, Ms. Vasundhara Raje as “queen of palaces” and himself as beggar for public. He told that when he was the Chief Minister, he went to Delhi and demanded wheat for poor and Ms. Vasundra Raje then commented that he is begging in Delhi. Shri Gehlot also said Ms. Vasundhara Raje closed many schemes launched by his government. It has been further reported that Shri Ajit Singh addressed the public saying that good days have not come for public but only for Shri Narendra Modi since 2014. Shri Modi is operating government of Suit-Boot and advising youths to sell Pakoda. He told that unemployment have gone to such dangerous level that in UP that 200 engineering colleges have been shut down. He described BJP as anti-farmers and told that Swaminathan report is not being implemented and farmers are not getting minimum support price. He told that BJP gives protection only to big industrialists.

A Show-Cause Notice was issued to the respondent Editor, Sandhya Jyoti Darpan, Jaipur, Rajasthan on 11.04.2019 followed by a time bound reminder dated 17.6.2019.

Written Statement

The respondent-Publisher, Sandhya Jyoti Darpan vide his written statement dated 14.6.2019 has stated that they have not received any money for publication of impugned news item. He has further stated that the gathering was addressed by Shri Ashok Gehlot and Shri Ajit Singh. Since they were star campaigner, therefore, it was

necessary to cover the event. The respondent has also stated that he did not publish anything except address in public meeting. While denying any partiality, the respondent has requested the Council to remove the impugned news item published in his newspaper from the category of paid news. He has assured that they will be more careful in future while publishing such news.

The respondent vide his further letter dated 6.7.2019 has again assured that they will be more careful in future while publishing such type of news.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Neither the complainant nor the respondent has chosen to appear.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith onenews published in the respondent newspaper, Sandhya Jyoti Darpan. In the opinion of the Chief Electoral Officer this is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the

reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee, the manner of presentation, the contents of news do not show that it is paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 10

F.No. 14/677-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against Khabron Ki Duniya, Jaipur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide communication dated 05.03.2019 has forwarded a reference against 'Khabron Ki Duniya', Jaipur, Rajasthan for allegedly publishing paid news in its issue dated 02.12.2018 under the caption "काँग्रेस प्रत्याशी विश्वेन्द्र सिंह को मिला कुमहेर ग्रामीण क्षेत्र अपार समर्थन" in favour of the INC candidate, Shri Vishvendra Singh. As per DIPR/DAVP rates, the cost of the paid news item is valued at Rs. 7776/-

It is reported in the impugned news item dated 2.12.2018 that Congress candidate Shri Vishvendra Singh campaigned in many rural areas of kumher. Everywhere, he has been welcomed with turban, shawl, silver crown and garlands. He is getting full support from the public. He said while addressing the public gathering that only the congress party can do welfare of the masses as the party wants 'Sabka Sath Sabka Vikas'. The Ex-MP Ms. Divya Singh also canvassed for congress and campaigned in different areas.

Reply of the respondent

A Show-Cause Notice was issued to the respondent Editor, 'Khabron Ki Duniya', Jaipur, Rajasthan on 22.4.2019. In response, the respondent vide letter dated 6.5.2019 forwarded a copy of his letter dated 15.2.2019 submitted that the allegations are false and fabricated. Shri Vishvendra Singh has got immense public support and won with a good difference. Their correspondent has published the news after taking a feed-back from the local voters including BJP and Congress workers of the area. The newspaper has given full coverage to the independent party along with BJP, Congress and other parties of other areas. Khabron Ki Duniya is a reputed newspaper in the area for the last 25 years. They do not believe in Paid News and the report is in no way a paid news. Their correspondent has published whatever he witnessed. The respondent newspaper has also taken strict action to prevent the paid news and has also devised a monitoring system. The correspondents have been strictly directed to follow the monitoring system. It is not good for the fourth pillar of democracy if even coverage of local news regarding grand festival of democracy is not covered by it. While refuting the allegation of paid news, the respondent editor has requested to dismiss the complaint.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri L. C. Bhartya, Editor represented the newspaper, Khabron ki Duniya.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith onenews published in the respondent newspaper, Khabron ki Duniya. In the opinion of the Chief Electoral Officer this is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is a paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S.No.11

F.No. 14/681-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against Evening Post, Jaipur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded a reference of Chief Electoral Officer, Rajasthan against Evening Post newspaper for allegedly publishing following paid news on 22.11.2018:

<u>S. No.</u>	<u>Title</u>	<u>Name of the candidate</u>	<u>Cost of Paid News as per DAVP rates</u>
1.	ग्रामीणो ने उत्साह से किया कटारिया का स्वागत	Shri Lalchand Katariya (Congress)	12672/-
2.	आदर्श नगर विधानसभा क्षेत्र में भाजपा प्रत्याशी अशोक प्रनामी अपने समर्थकों के साथ जनसम्पर्क करते हुए	Shri Ashok Parnami (BJP)	5616/-
3.	खाचरियावास की पत्नी ने पहली बार मांगे वोट, सैकड़ों की तादात में सुनने के लिए हुए महिलाएँ एकत्रित	Shri Pratap Singh Khachriyawas (Congress)	9936/-

In the first news item, it has been published that Shri Lalchand Kataria, former central minister and Congress candidate from Jhotwara assembly area has campaigned in rural areas and appealed to vote for congress for the development of village. The villagers welcomed Shri Kataria warmly in Begus, Bobas, Nimedda and Fatehpura. He promised the villagers for providing reasonable price of milk and compost and seeds at reasonable rates and on time as well. He said that he will provide adequate power supply to the farmers at the minimum rates along with fair price for crops. His priority will be for proper compensation on the destruction of farmers' crops and arranging loans. He stated that he will work for the establishment of government hospitals and colleges, establishment of community centres, construction of road in every village. He said that he will work to promote animal husbandry and dairy. Shri Kataria was welcomed with playing musical instruments and weighted by bananas and by rasgulla in Bobas.

In the second news item, photograph of BJP candidate, Shri Ashok Parnami with his supporters during campaigning in Adarsh Nagar constituency has been published.

In the third news item, it has been published that in support of her husband, Shri Pratap Singh Khachriya, Rajasthan Pradesh Congress Committee's Spokesman and Jaipur District President, Mrs. Neeraj Kanwar addressed hundreds of women at Sewa Sankul Parisar, Jaipur. She stated that due to the honest efforts and selfless

services of her husband, the people of civil lines constituency should vote for congress party and make her husband win. Further, women and girls are not safe and they are living in terror. Due to weak policies of present government, the security system is failed. She added that due to recession period in market, people are suffering from non-occupation. In such a situation, it is the duty of every woman to vote in favour of Congress party so that there may be a change in govt. and all the people of each class may get their rights. On this occasion, hundreds of women who gathered in the public gathering blamed the present BJP MLA and Minister Shri Arun Chaturvedi for no development of Seva Sankul area for last five years, so they have decided to support Congress candidate Shri Khachariawas. Ms. Neeraj told that during the tenure of legislature in Seva Sankul Parisar, her husband has spent approx. 3½ crore on the construction of the roads, in the preparation and decoration of five big parks, in four water tube wells, erecting main wall of Seva Sankul from the legislature's fund, installing 200 street lights, structuring places to celebrate marriages etc. for the development of the area. Further, due to campaigning conducted by Ms. Neeraj Kunwar for the first time, women in hundreds of their strength have gathered and all of them assured her to win Shri Kachriwas. Ms. Kanwar said that her husband has always struggled in public interest for making a voice of the people of Kachriwas, now it is the responsibility to all of you to make his voice alive.

Reply of the respondent

A Show-Cause Notice was issued to the respondent Editor, Evening Post, Jaipur, Rajasthan on 11.04.2019. In response, the respondent Editor-in-Chief vide letter dated 29.4.2019 submitted that they always abide by the rules of the Election Commission and, therefore, they never received any kind of notice relating to the news before. This is the first time when they received the notice relating to the paid-news on behalf of the Election Commission. Regarding first news item, he submitted that all candidates send their photographs and news to the newspapers through emails during election. They have also received the news and photographs of the Congress candidate, Shri Lalchand Kataria and published the same in the next morning. They are not in any kind of agreement with the candidate and also not taken any money from the candidate. Regarding second news item, he stated that they published the photograph of BJP candidate Shri Ashok Parnami with his supporters. There are no words in favour of Shri Parnami in the caption of photograph. No news has been published along with the photograph due to shortage of space. We always try to publish the photographs of every candidate and never published news related to any individual candidate to promote him. Regarding third news item he stated that they have published the moderate statement of the wife of Congress candidate, Shri Pratap Singh as the sub-title and that is not the statement of the newspaper. They are not in any kind of agreement or have taken money with the candidate or his wife in this regard. He further stated that to publish the moderate statement of any politician and enlightened citizen does not come in the list of any offence.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the

candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Neither the complainant nor the respondent has chosen to appear.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith 3 news published in the respondent newspaper, Evening Post. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S. No. 12

F.No. 14/682/Paid News/18-19-PCI

Reference received from the Election Commission of India against The Times of India, Jaipur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded a reference of the Chief Electoral Officer, Rajasthan regarding publication of paid news by 'The Times of India', Jaipur in its issue dated 27.11.2018 under the caption "**Saini, Bhaya head for a see-saw battle in Anta**" in favour of the INC candidate, Shri Pramod Bhaya. As per DIPR/DAVP rates, the cost of paid news item is valued at Rs.9,783/-.

The news item reports the pre-poll political scenario of Anta. It mentions the displeasure of sitting MLA and Agriculture Minister Mr Prabhulal Saini in contesting the polls from Anta as the farmers of Anta are far from being happy with his performance during the last five years. On the contrary, two-time MLA and ex-state minister Mr Pramod Jain Bhaya, Congress candidate from Anta who lost the last election by a low margin to BJP candidate seemingly has a better chance to garner larger support this time. Mr Bhaya is a popular leader in Baran which is posing a threat to Mr Saini. Mr Saini himself being a son of farmer was elected by people and became agriculture minister naturally had many expectations attached to him. But those expectations were not met. In fact he ignored farmers' development and on approaching for help he taunted the farmers saying that he won election not by farmers support but by money power. Mr Saini is described as an arrogant and unhelpful person by the people of Anta in comparison to the helpful and suave candidate Mr Bhaya. Despite being out of touch with the locals, Mr Saini was chosen by the people in last election but he never found time to meet the people and he was aware of his poor public relation in Anta and thus wanted to contest polls from Uniyara. In comparison, Mr Bhaya despite being out of office has always remained in touch with the people of Anta and has helped them in time of need and distress. Though Anta has a sizeable size of Saini community people but Mr Saini has lost their trust. As they have found a more trustworthy and helpful candidate in Mr Bhaya. However, Mr Rathore a party worker of BJP stated that every time when a sitting MLA comes out for seeking votes they face some resistance due to the unfulfilled expectations of masses which soon will be resolved and people will be convinced soon.

A Show Cause Notice dated 11/4/2019 was issued to the respondent editor of The Times of India, Jaipur, Rajasthan.

Reply Filed by the Respondent

The Counsel for the respondent newspaper vide written statement dated 09/05/2019 has submitted that the news item has been published under no influence from any political party. The news item is an analytical reporting which is based on the responses of the people in the Constituency. The reporter has spoken to people/voter of the said area as mood of people when reporter spoke appeared to suggesting win for particular party/candidate. The reporter of TOI visited the

constituency and on the basis of the gathered information the news item has been published and it reflects the ground realities of election in the constituency and voice of the people is mirrored in the news item without any twist or bias. It is also stated that it is well balanced news in which views of the other party is also reported. The Respondent has submitted that no violation of any norms or guidelines of the Hon'ble Council on the paid news has been committed by the newspaper. It has also stated that no notice or any clarification was sought from the newspaper for the publication of the alleged news item by the Media Committee of the district Bara.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. No one appeared from either side.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith one news published in the respondent newspaper, The Times of India. In the opinion of the Chief Electoral Officer it is a paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the

reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is a paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S.No. 13

F.No. 14/689-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against The Editor, Seema Sandesh', Jaipur, Rajasthan regarding publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide communication dated 05.03.2019 has forwarded a reference pertaining to 'Seema Sandesh', Jaipur, Rajasthan for allegedly publishing paid news in its issues dated 22.11.2018 and 23.11.2018 under the captions "पंच पटेलों ने निर्दलीय प्रत्याशी हंसराज पटेल को दिया समर्थन" व "भाजपा प्रत्याशी मुकेश गोयल ने किया जनसम्पर्क" in favour of independent candidate Shri Hansraj Patel and BJP candidate, Shri Mukesh Goyal. According to the DAVP/DIPR rates, the cost of the paid news is valued to Rs.4320/- and 6300/- respectively.

It is reported in the news item dated 22.11.2018 that there is sympathy wave for independent candidate, Shri Hansraj Patel who was refused BJP's ticket in the last moment. In this respect, a meeting of the representatives from all the societies and arbiters of the Gurjar society took place at Patel's residence where they announced to support the independent candidate, Shri Hansraj Patel as their leader. In the meeting, other candidates who filed their nomination as independent candidate announced to withdraw their nominations giving full support to Patel. Arbiters also decided that Shri Hansraj Patel withdrew his nomination in favour of the Gurjar society in the assembly elections of 2008. Taking this as a debit, they decided to pay it off by uniting in the current assembly elections. Expressing gratitude to all, Patel thanked everyone and announced to contest the election.

In the news item dated 23.11.2018, it has been reported that the BJP candidate, Shri Mukesh Goyal inaugurated election offices during campaigning. The great enthusiasm was noticed in the BJP leaders and local people during campaigning and inauguration of offices. The people said that Shri Mukesh Goyal is a local worker who has been in social service. Now the time has come to give the gift of vote and support to Shri Mukesh Goyal for his social work. During the campaign, the old people extended their support in the form of their blessings to him. On the other hand the youth of the area decided to extend their love in the form of votes and support to make him win with a large number of votes.

Reply of the respondent

A Show-Cause Notice was issued to the respondent Editor, Seema Sandesh, Jaipur, Rajasthan on 11.04.2019. In reply, the respondent vide written statement dated 20.04.2019 submitted that the respondent newspaper is an independent news agency and it does not function under any political pressure or support any particular political party. In this regard, factual news has been covered by them by visiting the place. Further, no canvassing for any political party has been carried by them.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Omraj Meena, representative appeared on behalf of the respondent editor, Seema Sandesh.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith 2 news published in the respondent newspaper, Seema Sandesh. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many

newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 14

F.No.14/690/Paid News/18-19-PCI

Reference received from the Election Commission of India against Hamara Samachar, Jaipur for publication of Paid News.

Adjudication 27.05.2021

The Election Commission of India vide its letter dated 5.3.2019 has forwarded a copy of the communication dated 10.1.2019 of the Chief Electoral Officer, Rajasthan attaching therewith a case of alleged paid news against “Hamara Samachar” for publishing news under the caption “क्षेत्र की राजनीति ने लिया नया मोड़” in its issue dated 22.11.2018 during Legislative Assembly Election-2018 in favour of independent candidate, Shri Hansraj Patel. The impugned news item valued at Rs.2,333/- as per DIPR/DAVP rates.

It is reported in the impugned news item that in the upcoming elections, there is sympathy wave for independent candidate, Shri Hansraj Patel after BJP's refused ticket to him in the last moment. In this context, the representatives of Gurjar society organized a meeting at Patel's residence and announced to support him as their leader. It has been further reported that in the meeting, other candidates who filed their nomination as independent candidate announced to withdraw their nominations so as to give full support to Shri Patel. The representative of Gurjar society said that Shri Hansraj Patel earlier withdrew his nomination in favour of Gurjar society during the Assembly Election - 2008, therefore, taking this as debt, they decided to pay it off by supporting him in the current elections. Expressing gratitude to all, Shri Patel thanked everyone and announced to contest the election.

No Reply

Show-Cause Notice dated 11.4.2019 was issued to the respondent Editor, Hamara Samachar, Jaipur but the same was received back undelivered from the postal authorities with the remarks “left”. Therefore, show-cause notice was issued to the respondent on another address on 8.5.2019. In the absence of any reply, a Time Bound Reminder dated 20.6.2019 was issued to the respondent but same was also received back undelivered from the postal authorities with the remarks “Unclaimed”. Therefore, Show-cause notice dated 3.10.2019 issued to respondent on another addresses.

Miss Shalu Khandelwal, former owner of the respondent newspaper vide letter dated 10.10.2019 informed that all ownership rights of the newspaper “Hamara Samachar” have been transferred to Shri Ram Nivas Mandoliya, R/o 84- Mandoliya Ki Dhani, Kalwar, Jaipur. While producing copy of the affidavit in this regard, she has stated Shri Mandoliya will be responsible for all risks and liabilities.

Thereafter, Notice for Hearing dated 18.10.2019 along with copy of the show-cause notice and relevant documents was issued to Shri Mandoliya, Editor, Hamara Samachar, Jaipur but no reply was filed.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Neither the complainant nor the respondent has chosen to appear.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith one news published in the respondent newspaper, Hamara Samachar. In the opinion of the Chief Electoral Officer it is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular

thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 15

F.No. 14/694-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against Morning News, Jaipur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded a reference against 'Morning News', Jaipur, Rajasthan for allegedly publishing paid news in favour of BJP candidate, Shri Ramavatar Bairwa under the caption "भाजपा प्रत्याशी रामावतार बैरवा का जनसम्पर्क अभियान परवान चढ़ा" in its issue dated 22.11.2018. As per DIPR/DAVP rates, the cost of paid news is valued at Rs.2970/-.

It is published in the news item that Shri Ramavtar Bairwa, BJP candidate from Chaksu Assembly has started campaigning and requested the people to support and vote in his favour. The local candidate has got support due to his simplicity and affinity. In the main market, people of Chaksu welcomed Shri Bairwa with safas and made him realise that they will support for him. He will visit all the villages and Dhanees for campaigning and will appeal the local people for their favour and support.

Reply of the respondent

A Show Cause Notice was issued to the respondent newspaper on 11.04.2019. In response, the respondent vide letter dated 2.5.2019 while denying the allegation submitted that the concerned news is a general news in relation to the public meetings and no amount has been received by the newspaper on this behalf. The respondent requested that the news may be considered as general and not the paid news. He stated that if these types of news are considered as paid news by the Election Commission of India, then they assured that these types of news will not be published by the respondent newspaper in future and they will be careful while publishing such news.

Col. (Retd) Vijay K. Yadav, Managing Editor, Morning News vide his letter dated 23.10.2019 while drawing the attention of the Council towards Handbook on 'General Elections 2019' published by Press Information Bureau, Norm 43 of Norms of Journalistic Conduct-2018 edition has stated that the alleged paid news was actually factual reporting of the political event an opinion of supporters of the candidate during his mass contact programme and was covered by the correspondent. The respondent has confirmed that there was no payment or a consideration was received by the journalist including the newspaper management. He has stated that the election authority has not provided/supported with proof/evidence of payment including consideration. The respondent has further stated that how and why the impugned news item got classified as paid news without the mandate and recommendation of MCMC held on 28.11.2018. The relevant lines of minutes held on 28.11.2018 are "अतः समिति ने सर्वसम्मति से प्रत्याशी के जबाव को संतोषजनक नहीं मानते हुये इस प्रकरण को संदिग्ध पेड न्यूज की श्रेणी में माने जाने की

अभिशांषा को इस निर्णय में भी बरकरार रखा है".Therefore, Election authority may be competent to add 'Notional' expenditure. However, with reference to newspaper and impugned news was to remain 'Suspected Paid News' instead of confirmed paid news in the absence of proof/evidence of payment to/consideration to journalist and/or newspaper as defined in General Elections-2019 Chapter 60 I (FAQ on Paid News) and MCMC. Therefore, foundation of argument of paid news itself is flawed and without evidence. He has requested the Inquiry Committee to peruse the minutes of the MCMC dated 22.11.2018 and 28.11.2018. The respondent has stated that the Returning Officer/Station Election Commission did not provide any evidence of oral or documentary evidence to the newspaper to substantiate the allegation of paid news.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Neither the complainant nor the respondent has chosen to appear.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith onenews published in the respondent newspaper, Morning News. In the opinion of the Chief Electoral Officer it is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

"Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon

the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 16

F.No. 14/695-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India, New Delhi against Dainik Navyatan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded a copy of letter received from the MCMC, Sikar, Rajasthan forwarding therewith a case against Dainik Navyatn, Dantaramgarh, Sikar for allegedly publishing paid news in favour of Indian National Congress's candidate Mr. Virendra Singh under the captions "वीरेंद्र को विजयी बनाने का लिया संकल्प" and "स्कूल शिक्षा परिवार का वीरेंद्र सिंह को समर्थन" in its issue dated 3.12.2018. According to DIPR/DAVP rates, the cost of paid news is amounting to Rs. 4032/- and Rs. 5184/- respectively.

It is reported in the news item that that Congress candidate Mr. Virendra Singh had his Election Assembly in Bharija. After almost thirty long years, a Congress candidate has got support during Assembly election in Bharija. This time many people of Bharija joined Congress and assured Mr. Virendra Singh for his victory. On this occasion former District Head addressed the gathering and mentioned that MLA Narayan Singh of Dantaramgarh has worked actively and now the responsibility is given to a youngster who will work with every caste for development. The Deputy Vice Chairman along with others addressed gathering.

It is reported in another news item that Rajasthan's biggest school organisation has supported the Congress candidate Shri Virendra Singh. Hundreds of teachers and School Directors came to Dataramgarh and handed over their support letter to the Congress candidate, Shri Virender Singh. District Chairman, Shri Suresh Choudhary said that School Education Family of Rajasthan handed over their memorandum of various demands to all the two hundred assembly seats of BJP and Congress candidates out of which BJP included three demands in their manifesto and Congress party included six demands in their manifesto hence School Education Family of Rajasthan decided to support Congress party. Mr. Virendra Singh assured that if congress govt. is formed in Rajasthan then these demands will be implemented before Lok Sabha Election.

Reply filed by the respondent

A Show Cause Notice dated 15.4.2019 has been issued to the respondent. In reply, the respondent vide letter dated 06.05.2019 submitted that the newspaper has already given orders for fair and neutral journalism and for maintaining election guidelines to its working journalists. The concerned journalists informed that he published as he had witnessed the situation. The correspondent and the management have not received any sort of money in lieu of the publication. The respondent requested to close the matter keeping in view of the small scale newspaper. He ensured that he will be more careful with matters relating to the election in future.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Amit Kumar, Delhi appeared on behalf of the respondent newspaper, Dainik Navyatan.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith two news published in the respondent newspaper, Dainik Navyatan. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many

newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 17

F.No. 14/696-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India, New Delhi against the Editor of SamacharJagat, Jaipur

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded a copy of letter dated 8.12.2018 received from MCMC, Jaipur, Rajasthan forwarding therewith Paid News case against the Editor, 'Samachar Jagat', Sikar for allegedly publishing paid news in favour of Indian National Congress's candidate Mr. Rajendra Pareek under the caption "पारीक ने शहरी क्षेत्रो मे किया जनसम्पर्क" in its issue dated 04.12.2018. The cost of paid news is amounting to Rs. 3888/- as per DIPR/DAVP rates.

It is published in the impugned news report that only three days are left for the poll day. Candidates are leaving no stone unturned for campaigning and public meetings. In this connection Congress candidate from Sikar constituency Shri Rajendra Pareek during public meetings assured the masses to solve their problems. He further said that he would not break their bond of affection and blessings. The voters weighed Shri Pareek with fruits.

Reply filed by the respondent

A Show Cause Notice dated 22.04.2019 has been issued to the respondent. In reply, the respondent vide letter dated 04.05.2019 submitted that the impugned news report is published in accordance with principle of journalism. It is clear from the introduction of the news item refers to campaigning done by candidates. It is known fact that all candidates put in their best efforts in seeking support during the elections especially in last 2-3 days. Such type of news is published in all channels and newspapers and it proves that the correspondent has written the news without favouring any party. The news about public meeting held by the concerned candidate and his promise to solve their problems is general as these types of news are shown with candidates by many channels during the election period. From this, it is clear that the correspondent has written about the facts in his own style and without any influence in accordance to the norms of journalism. The news is completely fair and factually correct, so it cannot be considered as paid news. The respondent stated that the respondent newspaper believes in fair and factual journalism and carry the same with honesty and continue to do so in future. He requested that the said news may not be considered as paid news.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 17.2.2021 at New Delhi. Shri Ranjeet Kumar Jha, Special Correspondent appeared on behalf of the respondent newspaper, Samachar Jagat.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith onenews published in the respondent newspaper, Samachar Jagat. In the opinion of the Chief Electoral Officer it is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S. No. 18

F.No.14/697/Paid News/18-19-PCI

Reference received from the Election Commission of India against Aas Paas, Sikar, Rajasthan for publication of paid news

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded reference of the Chief Electoral Officer, Rajasthan forwarding therewith paid news case against 'Aas Paas', Sikar, Rajasthan for allegedly publishing paid news in favour of the candidates as mentioned below:

S.No.	In favour of and party affiliation	Caption and Date of Issue	Brief of News Item	Rates of Paid News valued to (as per DIPR/DAVP in INR)
1.	Shri Prem Singh Bajor, BJP	भाजपा घोषित पांच प्रत्याशियों का राजनीतिक विश्लेषण शरु Dated: 14/11/2018	This news item reports about the five BJP candidates whose names have been declared by Party for contesting the elections for the five seats of BJP in Rajasthan. While Shri Prem Singh Bajore who is considered as a political strategist/consultant in BJP, will be contesting the election from Neemkathana and this election shall demonstrate whether the people of Bajore are satisfied with his earlier works in Neemkhatana. However given the situation Bajore has greater possibility of winning the election. Mr Khara will be contesting the Election from Shrimadhapur from BJP. Mr Harish Kumawat has got a party ticket for contesting from Dantaramgarh and from Dhod Mr Gordhan Verma will be contesting the election. Mr Verma is a young candidate with a clean image that will work in favour of the Party.	Rs. 10,944/-
2.	Shri Jhabar Singh Kharra,	भाजपा घोषित पांच प्रत्याशियों का	<i>As above</i>	Rs. 10,944/-

	BJP	राजनीतिक विश्लेषण शरु Dated: 14/11/2018.		
3.	Shri Harish Kumawat, BJP	भाजपा घोषित पांच प्रत्याशियों का राजनीतिक विश्लेषण शरु Dated: 14/11/2018.	<i>As above</i>	Rs. 10,944/-
4.	Shri Gordhan Verma, BJP	भाजपा घोषित पांच प्रत्याशियों का राजनीतिक विश्लेषण शरु Dated: 14/11/2018.	<i>As above</i>	Rs. 10,944/-
5.	Shri Ram Singh Nirdaliya,	दांतारामगढ़ का चुनावी सरगम भी गरमाया Dated: 26/11/2018	The news item reports that the election in Dantaramgarh is getting interesting as independent candidate, Mr Ram Singh Umara has left behind BJP candidate Mr Harish Kumawat, Congress candidate, Mr Virendra and Amraram of MCP in garnering public support. He is regularly visiting villages. His popularity amongst the villagers has become a threat for the other political party candidates from Dantaramgarh. Mr Umara has been a Sarpanch at the age of 25 years and has good experience working with villagers which has got him the popularity. Even other party are trying to stop him but he is standing ahead and strong.	Rs.3456/-

Reply Filed by the Respondent

A Show Cause Notice dated 15/4/2019 has been issued to the respondent editor of Aas Paas, Sikar, Rajasthan. The respondent newspaper vide letter dated 27/4/2019 submitted that the news item captioned “भाजपा घोषित पांच प्रत्याशियों का राजनीतिक विश्लेषण शरु” was published much before the nomination of the candidates of BJP were filed and the news item nowhere mentions who will be opposition contestants or who will be contesting the against BJP from the five constituencies. The news item does not talk about the victory of any candidate. In fact it is report on the BJP party candidates. The news item was published on the basis of the

declaration made by BJP regarding its candidates for the Assembly elections and therefore the news item may not be considered as paid news.

The respondent has further submitted that the second news item dated 26/11/2018 was published on the basis of interviews done by the correspondent of the respondent newspaper in Dantaramgarh. Where the reporter has interviewed each of the party candidates and published the same to inform people about the candidates contesting election from respective constituency and it is not paid news.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. The respondent is represented by Shri Pashupati Kumar.

This complaint has been registered on the basis of a reference made by the Election Commission of India vide its letter dated 5th of March, 2019 which relates to publication of four news items in the respondent newspaper in its issue dated 14.11.2018 and one in its issue dated 26.11.2018. The respondent has filed its reply. Shri Pashupati, Editor of the respondent newspaper is also present.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise

doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Keeping in mind the principles aforesaid, the Inquiry Committee has perused the four news items published in issue dated 14.11.2018 and is of the opinion that its contents or manner of presentation do not suggests that it's a paid news.

However, the contents and manner of presentation of the news published on 26.11.2018 is not an objective analysis of the candidate but an attempt to influence the voters by projecting him to be a candidate with all virtue. These clearly go to suggest that it is a paid news.

The Inquiry Committee accordingly recommends that the respondent newspaper be **Censured**. A copy of this order be forwarded to the Election Commission of India, the Chief Electoral Officer, Rajasthan, The Director of Information and Public Relation, Government of Rajasthan, the District Magistrate, Sikar and the Bureau of Outreach and Communication.

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. 19

F.No. 14/698/Paid News/18-19-PCI

Reference received from the Election Commission of India against Kanthal Ki Awaaz, Pratapgarh, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded copy of report of the Chief Electoral Officer, Rajasthan forwarding therewith paid news cases against Kanthal Ki Awaz, Pratapgarh, Rajasthan for allegedly publishing paid news in favour of the candidates as mentioned below:

Sl.no.	In favour of and party affiliation	Caption and Date of Issue	Brief of News Item	Rates of Paid News valued to (as per DIPR/DAVP in INR)
1	Shri Hemant Meena (BJP)	बीजेपी प्रत्याशी हेमंत मीणा ने बाणमाता का आशीर्वाद लेकर किया नामांकन दाखिल Dated 15.11.2018	<p>The news item reports that BJP candidate Shri Hemant Meena submitted his nomination after taking the blessings of Ban Mata from the temple. During which thousands of supporters were present including the Senior party members and volunteers. During the rally in the market Mr Meena was welcomed by the businessmen with garlands. On reaching at Gandhi Circle, Mr Meena's rally was welcomed with fireworks. Mr Nandlal Meena addressed the crowd by saying that his son will serve them honestly else he himself will make him resign. With this several party members addressed the crowd and criticised Congress party for their bad works and assured people that development will be brought to the region with the BJP candidate's victory in the election.</p> <p>Mr Hemant Meena while addressing the crowd stated that he will work for the development in the region. At present BJP is working for the development in 19 states of the country and he</p>	Rs. 18000/-

			shall follow the responsibility in his constituency. He further stated that Congress is dreaming about their win in the Vidhan Sabha but that is never going to get materialised.	
2.	Shri Hemant Meena (BJP)	कांग्रेस की शुरुआत झूठ के साथ - महेश शर्मा Dated: 19/11/2018.	The news item reports that the message for organizing nomination rally for congress candidate has gone viral. The news item states that BJP district media in-charge, Shri Mahesh Sharma blamed Congress for taking the path of lie to mislead people regarding their party candidate in the constituency. It has further stated that Congress only makes false promises to public. In the rally they have brought people from outside to show their strength by paying money to the crowd. So basically funding of crowd was done to portray the power and influence of Congress during rally and by putting forward the name of a representative who would not be contesting the election from Pratapgarh Vidhan Sabha, it is complete misleading of voters. This false and blatant lies would not go down well with the voters especially when they will learn the truth on the day of election.	Rs. 2980/-
3	Shri Ramlal Meena (INC)	कांग्रेस प्रत्याशीरामलाल मीणा ने दीपनाथ का आशीर्वाद लेकर निकाली नामांकन रैली Dated: 19.11.2018	The news item reports that Shri Ramlal Meena submitted his nomination from Pratapgarh. The nomination rally was started after Mr Ramlal coronated God Dipeshwar Mahadev. Thousands of participants joined the rally. People welcomed Mr Ramlal at many places. The tribal people also showed support for Mr Ramlal and joined the rally with Dhol and manjira. Many party candidates addressed the crowd from Gandhi Circle where Aam Sabha was held. Party President Mr Kamal S. Gurjar told that a change has to be brought to the	Rs.13770/-

			<p>Vidhan Sabha. The Youth Congress President stated that the people of Pratapgarh have been cheated. It was also stated during the public address that each party worker/volunteer has to get 20 voters. Former Chairman of Congress demanded a CBI inquiry for the corruption done in Pratapgarh Municipal Corporation from Mr Ramlalif he gets elected from the Pratapgarh constituency. Shri Nagraj Meena attacked Cabinet Minister, Shri Nandlal Meena for not doing any development work in Pratapgarh. Further, Shri Ramlal Meena told that he did not do any preparation for the rally and talked how he had struggled with the highest offices for doing developmental work for the public. He worked for giving employment for the unemployed youths in the region. And if given a chance he will finish the unemployment problem in Pratapgarh. The article further stated about the speech given by Mr Ramlal Meena on how he had protested for employing to local youths in govt. jobs rather than outsiders and criticised the opposition for putting barriers.</p>	
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Reply Filed by the Respondent

A Show Cause Notice dated 22.04.2019 has been issued to the respondent editor of Kanthal Ki Awaz, Pratapgarh, Rajasthan followed by a reminder dated 26.04.2019. The respondent newspaper vide letter dated 11/5/2019 has submitted that the newspaper is regional newspaper and they are known for their unbiased reporting. The news content was a press note given by the Media in-charge of BJP. The press note was received as a mail by the newspaper on the party letter head and hence, the news was reported. Both BJP and Congress party called the media for coverage of the respective party rallies. No favourism or inclination towards any party was depicted in the news item in question. The respondent, therefore, has pleaded for not considering the news item as a paid news.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed

cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. The respondent is represented by Shri Manoj Rathore, editor, Kanthal Ki Awaaz.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith three news published in the respondent newspaper, Kanthal Ki Awaaz. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item

pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 20

F.No. 14/699-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against Jai Kanthal, Jaipur, Rajasthan regarding publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide communication dated 05.03.2019 has forwarded confirmed Paid News references against 'Jai Kanthal', Jaipur, Rajasthan for allegedly publishing paid news in favour of the candidates as mentioned below:-

Sl. No.	Dated	Captions	Name of the candidate	Rates valued in rupees by DAVP
1.	16.11.2018	नागराज मीणा के नाम की घोषणा से खुशियां छापी	Shri Nagraj Meena (Congress)	1365.12/-
2.	19.11.2018	कांग्रेस की शुरुआत झूठ के साथ - शर्मा	Shri Hemant Meena (BJP)	4692.6/-
3.	19.11.2018	मैं जनता का सेवक बनकर कार्य करूंगा - रामलाल मीणा	Shri Ramlal Meena (INC)	14931/-
4.	25.11.2018	रामलाल मीणा का अरनौद क्षेत्र में तूफानी दौरा	Shri Ramlal Meena (INC)	5289.84/-
5.	26.11.2018	प्रतापगढ़ के पूर्ण विकास का सपना पूरा करूंगा - हेमंत मीणा	Shri Hemant Meena (BJP)	9552.427/-
6.	28.11.2018	हर खेत को पानी और बिजली पर्याप्त मात्रा में मिलेगी - रामलाल मीणा	Shri Ramlal Meena (INC)	5119.2/-

It is published in the impugned news item dated 16.11.2018 that congressmen enjoyed with great happiness when name of Shri Nagraj Meena, former MLA was announced as Congress candidate from Dhariyawad Vidhan Sabha area after a long wait. The condition was that after 12 O'clock at night the congress volunteers from Dantliya, Chari, Nalwa started to visit Shri Meena at his house to congratulate him and it kept on till morning. On the other hand, Dhariyawad Block Congress officers, volunteers, supporters of Shri Nagraj Meena were congratulating him on mobile and Shri Nagraj Meena was welcomed at District Congress Block office at 12 O' Clock in the noon by the District and Block Officers, Congress District President -Shri Bhanu Pratap Singh Ranawat as a chief guest and Block Congress President-Shri Madan Singh Ghatela as a president and Shri Surendra Chandaliya Pratapgarh as a special guest.

It is published in the impugned news item dated 19.11.2018 (at S.No.2) that a message is getting viral for organising nomination rally to be conducted by the congress candidate. If it is considered meaningfully, the campaigning of congress is a beginning of lie from the same day. On blaming this, the District Media-in-charge of BJP, Shri Mahesh Sharma said that this is nothing except lie in the name of fulfilling nomenclature by the congress to show its power to the innocent public. As Sunday being a holiday, the congress know very well that nomination cannot be filled in any way, still it is making public gatherings deliberately only to show its power. When the public will know the facts, they feel befooling themselves.

It is reported in the impugned news item dated 19.11.2018 (at S.No.3) that Congress candidate, Shri Ramlal Meena got open support on Vidhan Sabha Maha Rally by the public. Thousands of Congress officers, volunteers and public from different villages were gathered in the rally and welcome Shri Ramlal Meena. Shri Ramlal Meena told that he will help everybody every time.

It is reported in the impugned news item dated 25.11.2018 that Congress candidate, Shri Ramlal Meena visited various areas of his constituency where a large number of public was gathered. He was weighted with fruits in Panmodi village.

It is reported in the news item dated 26.11.2018 that BJP candidate Shri Hemant Meena from Pratapgarh Vidhan Sabha area attended large public meeting. He said that Shri Nand Lal Meena, Schedule Development Minister and his father has represented the Pratapgarh Vidhan Sabha area for a long time and due to his developmental work, Pratapgarh got special identity in the state. He feels proud to be born as his son. The Congress party has never raised voice for Pratapgarh and the BJP has continuously made efforts for development of the whole area along with Pratapgarh.

It is reported in the impugned news item dated 28.11.2018 that Congress candidate, Shri Ramlal Meena got heavy support in villages, Nukkad Sabha and Mass Media with the voters when he attended public meetings. He told that the farmers of Pratapgarh Vidhan Sabha area will get enough water and electricity without any partiality. The priority will be given to the employment, to connect the villages that do not have any road and to the fundamental problems of the area. On this occasion, he sought blessings of the people and assured them to solve all the problems.

Reply filed by the respondent

A Show-Cause Notice was issued to the Editor, Jai Kanthal, Jaipur, Rajasthan on 22.04.2019. In response, the respondent vide written statement dated 31.7.2019 while denying the allegations submitted that all the news items are the collections of their editors. They have neither contacted anyone before the public meetings nor received any kind of benefit from the candidate and nor manipulated the news in such a way so that anyone may get profit or loss. The news reports are published with the aim to make the public aware about the promise made by the candidates in the campaigning so that the public may know the agenda of the candidates. The respondent requested to dismiss the allegations as alleged by the Election Commission of India.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. Respondent is represented by Mr. Rajkumar Sharma, Reporter.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith six news published in the respondent newspaper, Jai Kanthal. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular

thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 21

F.No. 14/700-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against Rashtra Ka Vachan, Kota, Rajasthan Newspaper for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded copy of reference of Chief Electoral Officer, Rajasthan regarding publication of Paid News by 'Rashtra Ka Vachan', Kota, Rajasthan in favour of Indian National Congress candidate, Shri Pana Chand Meghwal under the caption "अट्रु बारां विधानसभा क्षेत्र: बैंक की नौकरी छोड़ कर बने नेता, संघ के नाम पर राजनीति" in the issue dated 05.12.2018. As per DIPR/DAVP rates, the cost of the news item is valued at Rs.6,524/-.

The news item reported that Bhartiya Janta Party in election has fielded Minister Babu Lal Verma from Baran-Atru assembly constituency. At first Babu Lal Verma was a bank employee but he became MLA from the Dug Legislative Assembly of Jhalawar in 1993 by alleged sangh order. Subsequently in 2003, he became a minister after winning from the Keshoraipatan area and was accused of corruption. In 2008, after losing the election from Shri C.L. Premy, Shri Babu Lal Verma won the election again in 2013 due to the Modi wave and became a cabinet minister. Shri Babu Lal Verma was made minister-In-charge of Baran District, but his tenure was a complete failure. Neither he did anything in Bundi nor in Baran. In the name of development work, his achievements are said to be zero. He has been facing serious allegation of corruption. He is also involved in charges of illegal mining in Bundi Indargarh area. It is told that Babu Lal Verma has a gas agency and a petrol pump. It is also alleged that he never worked for the common people. According to the people of Baran, the local people have been neglected by making Shri Babu Lal Verma a candidate in Baran-Atru assembly constituency from Bundi District. In the name of organization and discipline, Shri Babu Lal Verma has been nominated as a candidate by the BJP in a dictatorial manner. From this, dictatorship of BJP is evident in the name of ideology. Further, it is reported in the news item that the voters and workers of the assembly constituency said that the Congress candidate is austere and exoteric, while Babu Lal Verma neither knows anyone nor does anybody knows him. Being minister-in-charge in Baran district, he has not seen as leader of common people. The local people find congress candidate good as he is austere and always available. The voters also say that due to the support of Baran district Minister, Shri Pramod Jain Bhaya, the Congress candidate can be benefited. It is believed that the three assembly seats in Baran district are going in favour of the congress party. As BJP has brought outside candidate, frustration can be seen amongst local people as well as amongst BJP workers. People believe that after winning, the minister (BJP) will not come back again in their area and the public will be benefitted from Congress candidate.

Reply filed by the respondent

A Show Cause Notice was issued to the respondent Editor, 'Rashtra Ka Vachan' on 11.04.2019. In response, the respondent vide communication dated 24.04.2019 submitted that the news item is based on facts and therefore do not come under Paid News. He has further submitted that it is true that Mr. Babu Lal Verma is accused of corruption, so nothing comes under fake or paid news. Further, the newspaper works on the ideology of publishing un-biased news. He also stated that it seems from the report of the MCMC that its meeting was not held technically according to the Rule. In the proceeding, facts and language of the impugned news report that have been considered as paid news and on what basis has not been mentioned. No news can be considered as paid news for not responding by the concerned candidate. The respondent has requested the Council to drop this case and support journalists and take appropriate action in the matter.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. Nobody appears on behalf of the respondent.

This complaint has been registered on the basis of a reference made by the Election Commission of India vide its letter dated 5th of March, 2019. It relates to publication of a news items in the respondent newspaper 'Rashtra Ka Vachan' in its issue dated 5th December, 2018.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news

item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Keeping in mind the principle aforesaid, the Inquiry Committee has perused the impugned news item. The news item has given a negative aspect of a candidate and at the same time the positive aspect of a candidate of another political party, without any basis. In the opinion of the Inquiry Committee, its contents and the manner of representation clearly show that it's a paid news.

The Inquiry Committee accordingly recommends that the respondent newspaper be **Censured**. A copy of this order be forwarded to the Election Commission of India, the Chief Electoral Officer, Rajasthan, the Director of Information and Public Relation, Government of Rajasthan, the District Magistrate, Kota and the Bureau of Outreach and Communication.

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. 22

F. No. 14/701/Paid News/18-19-PCI

Reference received from the Election Commission of India against Jannayak, Jaipur, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded a reference of the Chief Electoral Officer, Rajasthan regarding publication of paid news by Jannayak, Jaipur, Rajasthan in its issue dated 30.11.2018 under the caption “विकास तो हुआ मगर जनता के संपर्क का अभाव” in favour of INC candidate, Shri Pramod Bhaya. As per DIPR/DAVP rates, the cost of paid news item is valued at Rs.19,892/- The gist of the impugned news item read as follows:

“In Mangrol Assembly constituency, Agriculture Minister, Mr Prabhulal Saini though spent a lot of money but had lost touch with the people due to busy schedule with his ministerial portfolio. He is unaware of the real situations in the remote villages which have worked against him during election campaign. During his campaign for the General Elections, 2019 people of the villages who are deprived of their basic necessities have confronted the minister stating that how he can ask for their votes when he has done nothing for them. Though college was built but no lecturer has been appointed in the college, youth are suffering, Mangrol is famous for Khadi product but no big projects were brought to Mangrol for peoples’ development they are ignored and this has caused a suppressed dissent amongst the people. Bidi makers are suffering, poor road conditions; unavailability of irrigation water has raised anger amongst the people. Despite of carrying out little development work like allotting land to college, construction of basketball stadium and gardens Mr Saini never found out ample time to come and meet the people of Mangrol region. It has been stated that Mr Saini thought that he is not going to contest next election from Mangrol so meeting people was not in mandatory for him but as now he is contesting election from Mangrol constituency, his poor public relations with the people is haunting him. The ignorance in the last five years and the gap cannot be compensated by mere election campaign. On the contrary, Mr Pramod Bhaya has always been in touch with people even he spent money from his own pocket during festivals for the people and have worked along with the BJP party workers for bringing development to the region. His tales of generosity is in the wind.

Reply Filed by the Respondent

A Show Cause Notice dated 11/4/2019 has been issued to the respondent editor of Jannayak, Jaipur, Rajasthan. The respondent newspaper vide letter dated 23/04/2019 submitted that the news item captioned “विकास तो हुआ मगर जनता के संपर्क का अभाव रहा” has been published but it has no connection with the political scenario of the region as it has also talked about the development in the region which proves that it is not biased and paid news. For publishing the news item in question the newspaper did not take any money from anyone. Jannayak is functioning for last 40 years and it is famous for its unbiased reporting. Hence, making an allegation of paid news on Jannayak is unfair.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. Respondent is represented by Mr. Jaideep Sharma, General Manager.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith one news published in the respondent newspaper, Jannayak. In the opinion of the Chief Electoral Officer it is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular

thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

PRESS COUNCIL OF INDIA

S. No. 23

F.No.14/669-PAID NEWS/18-19-PCI

Reference received from the Election Commission of India against The Editor, Punjab Kesari, Jalandhar, Punjab regarding publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide communication dated 05.03.2019 has forwarded a reference pertaining to 'Punjab Kesari', Jalandhar, Punjab for allegedly publishing paid news in its issue dated 03.12.2018 under the caption "हनुमानगढ़ में यदि रड़क जीती तो विकास हमेशा के लिए दफन हो जाएगा" with sub-heading "वसुंधरा का दौरा भी नहीं बदल पाया संगरिया की शबनमी फिजा को" in favour of BJP candidate, Dr. Rampratap and INC candidate, Smt. Shabnam respectively. According to the DAVP/DIPR rates, the cost of paid news are amounting to Rs.12,866/- and 3,788/-.

It has been reported in the news item that there are 14 candidates contesting the election but the politics of Hanumangarh surrounds between the main rivals, Shri Ram Pratap of the BJP and Shri Vinod Kumar of the Congress Party. Both of them have been MLA for three terms each. BJP candidate Dr. Ram Pratap remained among public during his term and known for development that has been done in the area and easily available to the public. He has an image of development ambassador but congress candidate Chaudhary Vinod Kumar is known for his nobleness. Sometimes public think that Dr. Rampratap should win because Chaudhary Vinod Kumar is inactive and sometimes public think that Shri Vinod Kumar should win. This time also the main contest is between prejudice and development. It is surprising that some persons are talking about Dr. Rampratap who have never seen him. Two videos are viral on social media during this period. In one video Dr. Ram Pratap is being seen in public hearing having fractured leg and in the second video Shri Vinod Kumar can be seen in a sound sleep. It is a big question among the public to vote and extend support in favour of the person who had never seen for last five years since his defeat and contrary the person who has been among the public for last five years and have done record development. If the prejudice wins, then the development will be defeated but it will be a message that the development would have been buried forever. After this no representative will think about development and the congress will become more inactive. In 2013 Elections, Dr. Ram Pratap defeated Ch. Vinod Kumar by 30487 votes. The BJP is facing the challenge to save its seat. The Congress is trying to recover its mandate and trying to get success by hook or crook.

It has been reported in the sub-heading that it seems contradiction to include an independent candidate in its party in Sangaria constituency adjoining Haryana Border. The BJP High command had cut its ticket of sitting MLA Krishan Karwa and introduced the independent candidate, Shri Gurdeep Singh as its party candidate a day before the nomination date. The activists are in anger with the decision of the party. Many activists have come in favour of Congress candidate Shabnam Godara. In the election 2013, Shri Gurdeep Singh got third place with 41,000 votes whereas Congress candidate Shabnam Godara got 44,000 votes. BJP's Krishan Karwa won

here. Though Gurdeep Singh and Shabnam Godara defeated in the elections, yet both of them were continuously active and Gurdeep succeeded to create atmosphere in favour of him. It was expected that this time he might win and, therefore, the BJP played its stake on Gurdeep Singh. It was presumed by the BJP party that tour of Chief Minister Vasundhara Raje to Sangria will strengthen the party but it could not get success to change the political wave.

Reply filed by the respondent

A Show-cause Notice was issued to the respondent, Punjab Kesari, Jalandhar, Punjab on 24.5.2019. In reply, the respondent submitted that the news-item has been published in the ordinary course of publication as a commentary on the elections and in no way can fall under the ambit of 'Paid-news'. He stated that there is nothing wrong in the concerned news-item or its contents because such types of news stories in a commentary form are published by all the newspapers on the occasion of elections to keep the readers aware about various candidates and/or political parties of the region. Therefore, the allegation is baseless, imaginary and merely a conjecture. The respondent requested to withdraw the notice.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. Respondent is represented by Mr. Madan Mohan Thapar, Section Head.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith two news published in the respondent newspaper, Punjab Kesari. In the opinion of the Chief Electoral Officer those are paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is

exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that those are paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S. No. 24

F.No. 14/679/Paid News/18-19-PCI

Reference received from the Election Commission of India against Dainik Bhaskar, Rajasthan for publication of paid news.

Adjudication dated 27.05.2021

The Election Commission of India vide letter dated 05.03.2019 has forwarded copy of report of the Chief Electoral Officer, Rajasthan, forwarding therewith paid news cases against 'Dainik Bhaskar', Jaipur, Rajasthan for publishing paid news. Details of which are given as follows:

Sl.no.	In favour of and party affiliation	Caption and Date of Issue	Brief of News Item	Rates valued to (as per DIPR/DAVP in INR)
1.	Shri Danish Abrar, INC	दानिश अबरार का रोड शो Dated:02.12.2018	The news item reports the road show campaign of Congress candidate, Mr. Danish Abrar from Sawai Madhopur constituency. It states that Mr. Danish was welcomed by people with flowers; he was weighted by fruits and laddos at different places during the road show. Public showered huge support for congress candidate, Mr Danish at different places. Even one supporter welcomed Mr. Danish by drawing tilak on his forehead with blood. Mr. Danish was overwhelmed to witness the support from people and thanked all.	Rs. 3726/-

No Reply

A Show Cause Notice dated 22/04/2019 followed by a time bound reminder dated 20/06/2019 has been issued to the respondent editor of Dainik Bhaskar, Jaipur, Rajasthan. However, no response has been received in the matter from the respondent.

Communication received from the Election Commission of India

Shri Pawan Diwan, Under Secretary, Election Commission of India (ECI) vide letter dated 10.02.2021 has stated that the cases forwarded by the ECI's letter dated 05.03.2019, after following all due procedure were established as the confirmed cases of paid news in respect of Rajasthan Assembly Election, 2018, as reported by

the Chief Electoral Officer, Rajasthan. He has also informed that none of the candidates have preferred appeal in the cases of confirmed paid news to the Committee of the ECI.

Report of the Inquiry Committee

The matter came up for hearing on 17.02.2021 at New Delhi. Nobody appears on behalf of the respondent.

This complaint has been registered on the basis of the reference made by the Election Commission of India vide its letter dated 5th of March, 2019. By the said letter the Election Commission of India has forwarded the Report of the Chief Electoral Officer, Rajasthan attaching therewith one news published in the respondent newspaper, Dainik Bhaskar. In the opinion of the Chief Electoral Officer it is paid news.

The Council has laid down principles for determination of paid news which read as follows:-

“Paid news would mean any words appearing in media, or omitted from media in lieu of a consideration given either earlier, at the time or after publication in any form. It is a clandestine financial transaction conceived in fraud and delivered in deceit, and hence it is difficult to get direct evidence to establish it. But while direct evidence may not be available it is possible to infer the incidence of paid news from strong circumstantial evidence.

At the same time, an onerous responsibility on election authorities is to ensure that the process of identifying paid news is exhaustive and credible because the reputation of publications and journalists is at stake.

No hard and fast rule or straight jacket formula is possible to be laid down to determine the issue of paid news and it will depend upon the facts and circumstances of each. Merely, because a particular news item appears to serve the cause of a particular candidate, it cannot be concluded that it was paid news. Further, publication of interview of a candidate or political coverage in the newspaper cannot itself be the reason to term the same to be paid news. Bad journalism may raise doubt about the credibility of news but from that to jump to the conclusion that those are paid news would be irrational. During the course of election, subject to the conditions laid down by the Election Commission of India, newspapers are free to make an honest assessment of prospects of candidates or the parties and its publication would not be paid news so long it is not established that consideration passed on for such publication. One has to bear in mind that many newspapers have editorial policy to support the candidate of particular thought or region and in such cases writing in favour of such candidates would not amount to paid news. Mere publication of an advertisement by the candidate on the date when the news item pertaining to this nature has been published, itself may not be conclusive to establish the impugned publication as a paid news.”

Bearing in mind the principles aforesaid, the Inquiry Committee proceeds to examine the facts of each case. In the opinion of the Inquiry Committee the manner of presentation, the contents of news do not show that it is paid news. Accordingly, the Inquiry Committee recommends that the proceedings be dropped.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S No. 25

F.No.14/420/17-18-PCI.

Anonymous complaint forwarded by Ministry of Information & Broadcasting against Shri Ammar Zaidi, Journalist, Press Trust of India (PTI).

Adjudication dated 27.05.2021

The Under Secretary to the Ministry of Information & Broadcasting, New Delhi vide letter dated 22.12.2017 forwarded an anonymous complaint against Shri Ammar Zaidi, Journalist of PTI regarding an incident said to have taken place on 20.07.2017, wherein the said journalist allegedly outraged the modesty of a women journalist. The anonymous complainant in his complaint stated that it was an MoU signing ceremony for revival of Saraswati river and a press conference was jointly organized by WAPCOS and ONGC at Haryana Bhawan, New Delhi. The Chief Minister of Haryana and MoS, MoPNG were present for the same along with CMD, ONGC and journalists for print and electronic media as well. It is alleged that Mr. Zaidi in an outrageous manner started saying in an open fora against women that *“Sarraf ji aap to interview mini skirt pehenne wale ko dete hai. Mini skirt pehenke ana chahiye. Mini skirt pehenke legs spread karne wale ko exclusive story dete hai aap. Kal se mai bhi mini skirt pehenke ata hun...tab aap exclusive interview denge.”* The complainant stated that Mr. Zaidi not only had the audacity to brazenly outrage the modesty of a senior lady journalist in absentia but he was blatant about maligning the other lady journalists present on the occasion. According to the complainant this is a living example of harassment at workplace. None present on the occasion protested to this kind of atrocity and vulgarity displayed by Mr. Zaidi unilaterally to all women journalists. The complainant requested to set up an enquiry at the highest level to find out what kind of words Mr. Zaidi had brazenly used that day to abuse not only CMD, ONGC but also all the women journalists and other women dignitaries.

A Show Cause Notice was issued to the editor, PTI as well as the concerned journalist, Shri Ammar Zaidi on 18.04.2018.

Written statement

Shri G. Sudhakar Nair, Executive Editor, Press Trust of India vide written statement dated 8.5.2018 submitted that on plain reading, it appears to be a personal vendetta agenda of the anonymous complainant against PTI and Mr. Ammar Zaidi, a senior PTI correspondent and the alleged complaint is beyond the scope of jurisdiction of the Council. The respondent submitted that they conducted a preliminary internal enquiry and found the contents of the alleged complaint to be absolutely false and baseless. The anonymous complaint appears to be a manifestation of the complainant's imagination and over zeal. The respondent submitted that sending an anonymous undated letter belatedly is not only malicious but also defamatory. He has further submitted that the instant anonymous complaint is nothing but a targeted attempt to malign and destroy the creditability of not only Mr. Zaidi but also the respondent i.e. PTI.

Reply of Shri Dinesh Kumar Sarraf

Shri Dinesh K. Sarraf, Chairperson, Petroleum and Natural Gas Regulatory Board, New Delhi vide his letter dated 12.2.2019 while expressing inability in attending the hearing has stated that to his recollection and checking the dates and sequence of events on the internet, the alleged comments were made on 20.7.2017 in Haryana Bhawan, New Delhi, where an event was convened in the morning to launch ONGC's project "Saraswati" in the presence of Hon'ble Chief Minister of Haryana and Hon'ble Minister of P&NG. He has further stated that as CMD of ONGC, he was also present on the occasion and media persons were present to cover the event. According to Shri Sarraf, he does not recollect the presence of Shri Zaidi, leave alone any alleged comment made by him on a lady journalist. He has further stated that he knows Shri Zaidi for almost 15 years and interacted with him, during meetings as well as on telephone, on many occasions. He always felt that he is a decent person and in addition, a professionally capable journalist. Accordingly, he does not think that Shri Zaidi could have made such comments.

Inquiry Committee constitutes Sub-Committee

The Inquiry Committee in its meeting held on 14.2.2019 constituted a Sub-Committee consisting of Mr. Jai Shankar Gupta, Mr. Amar Devulapalli and Ms. Sushma Yadav, Members of the Council to look into the matter and submit report on truthfulness or otherwise allegation made in the complaint and in sidelines to explore how the women journalists can be facilitated in discharge of their professional duties.

Hearing by the Sub-Committee

The Sub Committee held its three sittings on 29.05.2019, 22.08.2019 & 06.10.2020 and gave its report as under:-

"The Sub Committee is of the view that any derogatory comments made against any female working journalist are deplorable, in general. However, in this particular case, the Sub Committee has opined that the complaint is anonymous and there is no conclusive evidence found against Shri Ammar Zaidi, Journalist of PTI for having made such alleged obscene remarks against women journalists. Further, Shri Dinesh Kumar Sarraf, Chairperson, Petroleum & Natural Gas Regulatory Board, New Delhi has denied allegation made against Shri Zaidi. The Press Trust of India (PTI) in its internal investigation on the matter has given clean chit to Shri Ammar Zaidi for not having evidence to back up the allegation."

Further Reply from Shri Dinesh K. Sarraf

Shri Dinesh K. Sarraf, Chairperson, Petroleum and Natural Gas Regulatory Board, New Delhi vide his letter dated 21.8.2019 while reiterating his reply has further stated that on 20.07.2017, knowing about the launch of ONGC's CSR project and the presence of Chief Minister and Union Minister, media persons were present that morning at Haryana Bhawan to cover the event. According to him, as per his recollection, while the issue of HPCL was discussed with media, no such alleged comments were made by Shri Zaidi on any lady journalist.

Submission of Shri Ammar Zaidi

Shri Ammar Zaidi vide his submission dated 22.8.2019, handed over at the time of hearing, while denying the allegation has stated that the allegations are false, malicious and motivated to tarnish his reputation and career. According to him,

there was a conversation between Shri Dinesh Kumar Sarraf and small group of journalists, which included him, on sidelines of a company event on the morning of 20.7.2017. At no point he had made any remarks against any journalist leave alone a female colleague in that short conversation that happened while they waited for the dignitaries to arrive for the event. He has mentioned that he has never in his life met the journalist in question, against whom the purported remarks were directed and also she was not present at the event either. Shri Zaidi has further stated that this letter was not addressed to anyone and was rather circulated in the media fraternity and industry freely (from where it must have reached the Ministry of Information & Broadcasting sometime in December, 2017). If someone wants to make a complaint against any person, he or she would address such a grievance, though anonymously, to an appropriate authority (in this case his organisation head or any other authority as deemed fit), but in this case, the letter was circulated among in the industry and not addressed to any particular authority. He has stated that he can never do or say anything to bring any disrespect to any woman.

Shri Ammar Zaidi also produced a copy of an inquiry dated 30.10.2017 conducted by Shri Vijay Joshi, Editor-in-Chief, PTI wherein it has been stated that on 27.10.2017 Shri Vijay Joshi was handed an envelope with two anonymous letters containing allegations of sexist remarks during a press event against Shri Ammar Zaidi, therefore, he called Shri Zaidi in his office on 30.10.2017 for questioning him. He has produced a gist of remarks of Shri Zaidi during the informal inquiry:

“On the sidelines of the event, a conversation took place between journalists and Shri Sarraf. The conversation was more to do with the decision of the government a day before to sell its sale in HPCL to ONGC. He denied making any remarks against any journalist leave alone a female colleague. He dismissed the allegations outright. Other reporters, including from Bloomberg and Reuters, were present at the event where these purported remarks were made. Given that it was not a one-on-one interview, and there were other reporters present, Shri Zaidi justifiably argued that had he made such sexist remarks the complainant could have named witnesses”.

The Editor-in-Chief stated that given that it was an anonymous complaint with little evidence to back up the allegation, the Editor-in-Chief accepted Shri Zaidi's explanation and dismissed the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 18.2.2021 at New Delhi. Ms. Sneha Singh, Ms. Ayushi Misra, Advocates and Smt. Seema Neb, Press Trust of India appeared before the Inquiry Committee. Shri Ammar Zaidi, journalist appeared in person.

The Inquiry Committee accepts the Report of the Sub Committee and recommends for dropping of the proceedings.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S. No. 26

F.No.14/362/19-20-PCI.

Complainant

Shri Balram Singh,
Advocate,
Banda (U.P.).

Respondent

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

Adjudication dated 27.05.2021

This complaint dated 25.9.2019 has been filed by Shri Balram Singh, Advocate, Banda (U.P.) against “Dainik Aaj” for allegedly publishing a false, baseless and defamatory news item under the caption “.....सरकार की छवि बिगाडने में तुला है भाजपा नेता.....रात भर जमीन कब्जाने के मामले में खाई थी हवालात की हवा” with sub-heading “अब अपनी जमीन से कब्जा हटाने का प्रयास कर रहा है सिंचाई विभाग” in its issue dated 31.8.2019.

It is reported in the impugned news item that the police arrested and challaned a BJP leader, Shri Balram Singh Katuchwah for allegedly using force to encroach land of a poor lease holder. Later, the matter was resolved when Shri Balram Singh paid Rs.10,000/- to the lease holder. It is further reported that the arrogant and bigoted BJP leader, Shri Balram Singh has always been in controversies. He is a habitual offender of using muscle power to encroach government and public land. He also encroached the land of Irrigation Department and the department is now trying to get the land vacated. It has been further reported that Shri Balram Singh has never won any election in his political career..

Denying the allegations levelled in the impugned news item, the complainant has alleged that the respondent has published false, baseless and defamatory news with a malafide intention. The complainant has stated that he is an advocate and a member of BJP and has a good reputation in the society. The complainant has further stated that Shri Dharmendra Singh, Bureau Chief of respondent newspaper is his neighbour and a criminal nature person against whom two court cases are pending. The complainant has alleged that Shri Dharmendra Singh, Bureau Chief, Dainik Aaj from Banda has published the impugned news item without any evidence under a conspiracy to tarnish the image of Shri Balram Singh in the society. According to the complainant, due to publication of the impugned news item his image has been tremendously damaged and caused him a loss of Rs.10 lakhs. The complainant has submitted that the respondent earlier also had published impugned news item against Shri Omkar Rana, former District Basic Education Officer, Banda (U.P.) wherein the Hon'ble Press Council Censured the respondent newspaper in November, 2013.

The complainant vide Notice dated 25.9.2019 drew the attention of the respondent towards the impugned news item.

The complainant has further submitted that the respondent published his telephonic conversation under the caption “जमीन कब्जाने की बात गलत व निराधार”

in its issue dated 4.10.2019 reporting that Shri Balram Singh Kutchwah denied the allegation of encroachment and police action stating that the news was published malafidely under a conspiracy with a view to tarnish his image in the society. Shri Balram further said the impugned news is baseless and far from facts.

Show-cause notice was issued to the respondent-Editor, Dainik Aaj, Kanpur on 21.11.2019.

Written Statement

The Resident Editor, Dainik Aaj vide his written statement dated 16.12.2019 while denying all the allegations in the complaint has informed that the complainant is a briefless lawyer and never attended the court and he also contested an MLA election earlier, which he lost. The respondent has submitted that the complainant also illegally encroached land of a Ayurvedic Hospital, Tehsil Pailani, Banda and "Dainik Jagran" newspaper had published a news in this regard under the caption "भाजपा नेता का मिला कब्जा" and after publication of news, the encroachment was removed and a Notice of recovery of Rs.18,000/- was issued to the complainant. The respondent has further submitted that the two cases referred by the complainant in his complaint that are pending against Shri Dharmenda Singh, Bureau Chief of Dainik Aaj, have been closed and Shri Dharmendra has been acquitted in both matters. According to the respondent, the impugned news item dated 31.8.2019 was a follow-up to the news dated 30.8.2019 published in his newspaper under the caption "सत्ता की हनक: भाजपा नेता ने सिंचाई विभाग की जमीन पर किया कब्जा" but the complainant has not objected on the news item dated 30.8.2019, which is also related to another encroachment by the complainant. The respondent has further submitted that the impugned news item was based on evidence and before publishing the impugned news item, they tried to contact complainant to know his version but he did not respond at that time. According to the respondent, on receiving the notice and telephonic conversation with the complainant, a clarification was published in the newspaper on 4.10.2019 under the caption "जमीन कब्जाने की बात गलत व निराधार" and a copy of the same was also provided to the complainant by speed post.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 18.2.2021 at New Delhi. Shri Balram Singh, complainant appeared in person. Shri Sanjay Rai, Bureau Chief, Dainik Aaj represented the respondent newspaper.

It is the allegation of the complainant that Bureau Chief of the respondent newspaper of Banda is his neighbour and because of differences with him, the impugned news item has been published targeting him. The Inquiry Committee has heard the complainant, Shri Balram Singh, Shri Sanjay Rai, National Bureau Chief on behalf of the respondent and has also perused the petition of complainant, the written statement and all other connected papers. True it is that the respondent has published the corrigendum but on perusal of the impugned news item, the Inquiry Committee finds that the news item was published to personally damage the reputation of the complainant. Reference to incidents which had taken place 22 years ago and the complainant contesting and losing the election in the year 2012, in the opinion of the Inquiry Committee, had no relevance at such a distance of time.

The language used in the news item is intended to defame the complainant. Accordingly, the Inquiry Committee recommends that the Kanpur edition of the respondent newspaper, Dainik Aaj, be **Censured**.

With the aforesaid recommendation, the Inquiry Committee upholds the complaint. A copy of this order be forwarded to the Bureau of Outreach and Communication, the Director of Public Relation, the Government of U.P. and the District Magistrate, Kanpur.

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. 27

File no. 14/309/19-20-PCI

Complainant

Mr. Avinash Ruprao Chandan,
Akola, Maharashtra

Respondent

The Editor,
Dainik Rajyonnati
Akola, Maharashtra

Adjudication dated 27.05.2021

This complaint dated 16.8.2020 has been filed by Mr. Avinash Ruprao Chandan, Akola, Maharashtra against the editor, Dainik Rajyonnati, Marathi Daily, Akola, Maharashtra for publishing false and defamatory news in its issue dated 27.4.2019 and 6.7.2019 under the captions "**Crime will be filed against the "Shrikhand" looters of MIDC (Maharashtra Industrial Development Corporation) plot!**" and "**MIDC plots scam: requires action on compere Avinash Chandan**" respectively as per English translation provided by the complainant.

As per English translation provided, it has been reported in the news article dated 27.4.2019 that the plots and area under the regional office of Amravati, Akola, Buldhana, Washim and Yavatmal are being allotted by presenting forged documents. It has been further reported that Mr. Avinash Chandan, the officer working on the post of Assistant , along with Mr. Thoke, Mr. Purushottam Petkar and regional officer of Maharashtra Industrial Development Corporatoin (MIDC) have been suspended by the Chief Executive Officer, Dr. P. Anbalgan. Mr. Avinash Chandan at the time of selling plots used to prepare forged offer plot allotment letters.

In the other impugned news item dated 6.7.2019, (Translation provided by the complainant) it has been reported that a request has been made to the Chief Executive Officer of MIDC along with the Chief Minister by Mr. Sunil Chiraniya, citizen residing in the Lakkad Ganj, Akola District to take action on Mr. Avinash Chandan for conducting the plots scam, forgery, indiscipline action and for burning the office of the MIDC. It has been further reported that Mr. Avinash who is working on the post of Clerk alongwith some Officers and brokers has indulged into plot scam thereby causing loss to the government amounting to Rs. 20 to Rs. 22 crores. The news article states that Mr. Avinash had tried to destroy the evidences by putting the regional office of Amravati on fire but no action has been taken against such serious offence. It has been further reported that Shri Avinash Chandan has been forging documents and selling plots at much higher rate than original rate and accumulated huge wealth.

Denying the allegations, the complainant submitted that the allegations made in the news items are false and malafide and the same are sub-judice before the appropriate authority. The respondent paper, Dainik Rajyonnati has published his photograph alongwith impugned news item published on 27.04.2019 without taking any prior permission from him. Regarding tampering with the official documents of

the MIDC, the complainant submitted that no such conclusions have been derived against him and the entire set of allegations are being challenged before the Division Bench of Hon'ble Bombay High Court, Bench at Nagpur vide WP no. 2746/2019 on 27.3.2019. The complainant submitted that he has not accumulated disproportionate assets and the same has not been reflected against him by any authority. No F.I.R has been lodged regarding the involvement in the outbreak of fire in the Regional Office situated in Amravati. The complainant submitted that he had drawn the attention of one Mr. Chiraniya, on the basis of whom the news article dated 06.07.2019 was published but he replied that he had never given such kind of information to the newspaper.

The complainant had issued legal Notice to the respondent on 06.07.2019 but the respondent refused to respond.

Show Cause Notice was issued to the respondent editor, Dainik Rajyonnati on 21.10.2019.

Written Statement

Mr. Sunil Pandhari Awachar, editor, Dainik Rajyonnati vide Written Statement dated 13.11.2019 submitted that the complainant has only stated the publication is defamatory but has failed to specify how the said publication is defamatory. He has further submitted that in the present matter till date the complainant has neither issued any notice nor raised any objection with the respondent that the news articles are objectionable. The complainant through his counsel had sent one notice to the Chief Editor of Dainik Rajyonnati wherein complainant contended that the news article dated 27.04.2018 and 06.07.2018 published in the newspaper are false and baseless while the fact is that the newspaper has not published any article on 27.04.2018 & 06.07.2018 against the complainant. The respondent submitted that the complainant has suppressed the fact that his employer i.e. MIDC vide office order dated 14.03.2019 had held that the complainant along with other by acting illegally has caused loss to the MIDC and has failed to act in accordance with the rules. As per the said order, the complainant is suspended and was transferred to Ratnagiri and departmental enquiry is initiated against him. The respondent further submitted that on the basis of Order of MIDC and complaint of one Mr. Chiraniya and oral information given by Officials of MIDC, published the article dated 27.04.2019 & 06.07.2019. Further, the respondent submitted that at the time of filing the complaint, the issue involved in the complaint was under consideration before the High Court. The High Court of Bombay Nagpur in Order dated 09.10.2019 has specifically held that the departmental inquiry pending against the complainant be proceeded and completed within 90 days. The act of the complainant whether he has committed acts as alleged against him would be considered by the departmental enquiry committee and unless the same is decided it cannot be considered whether the publication is defamatory as alleged. He has requested the Council to reject the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 18.2.2021 at New Delhi. There was no appearance on behalf of respondent, editor, Dainik Rajyonnati.

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 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. 28

File no. 57/2020/A-PCI

Complainant

Shri Rajendra Singh,
Commissioner,
Central GST and Excise
Commissionerate ,
Surat, Gujarat

Respondent

The Editor,
Gujrat Mitra,
Surat, Gujarat

Adjudication dated 27.05.2021

This complaint dated 28.1.2020 has been filed by Shri Rajendra Singh, Commissioner, CGST & Central Excise, Surat, Gujarat against the newspaper Gujrat Mitra, Surat, Gujarat for allegedly publication of false and defamatory news item under the caption “**Superintendent Samir Joshi arrested in Crores of GST scam**” (Translation provided by the complainant) in its issue dated 22.01.2020.

As per translated version provided by the complainant, it has been reported in the impugned news item that due to irregularities in the Central GST (Goods Services and Tax), the CGST Commissioner removed Shri Samir Joshi with immediate effect from his duties and arrested. The officer approved fraud bills of approximately Rs. 12.50 Crore. In addition to this, tax credit of Rs. 16 Crores was also approved. It has further been reported that no physical verification has been done by Shri Samir Joshi while approving the credit. It is suspected that Shri Samir Joshi is already involved with the cheaters in this case and has already taken his due share. He has been arrested under Section 132 of the CGST Act, 2017. It is further reported that in Surat, fraud bills of Rs. Twenty thousand Crores has been approved and the department wants to save its skin by arresting one Superintendent.

Denying the allegations, the complainant submitted that the CGST had unearthed a case of fraudulent claim of IGST refunds on the basis of fake GST bill/ bogus claim of input tax credit on exports made by Surat based 03 firms, namely M/s Bluemoon Textiles, M/s Classic Industries and M/s F.S. Textiles. Further Shri Gulam Salim Godil, proprietor of M/s Bluemoon Textiles and partner of M/s Classic Industries was arrested on 25.12.2019 in the case. Thereafter further investigation was conducted resulting in the arrest of Shri Fayyaz Ahmad Godil, proprietor of M/s F.S. Textiles and partner of M/s Classic Industries on 21.1.2020. He has further submitted that the report published in “Gujarat Mitra” newspaper is completely false and defamatory for the department and Shri Samir K. Joshi, Superintendent, in fact, Shri Samir K. Joshi himself had arrested both the abovesaid persons in the matter. The report appears to have been published with an aim to derail the ongoing investigation. In fact, the efforts of Shri Samir K. Joshi are appreciable in this case.

The complainant further submitted that their office had written a letter dated 22.1.2020 to the Editor of “Gujarat Mitra” newspaper calling for explanation as to why they have published such false news report and demanding an apology for such malicious reporting against the department and officers. Further on 23.1.2020, the newspaper “Gujarat Mitra” published a column stating that the name of the GST officer, Shri Samir Joshi was printed mistakenly instead of the accused but the said

incident is a very serious matter and tantamount to blunder on their part. The complainant submitted that the explanation published is completely non sensible as the original report mentioned very serious matter of removal from duties and also implicated senior officers. He has requested the Council to take strict action against the newspaper, "Gujarat Mitra".

Show Cause Notice was issued to the respondent newspaper, Gujarat Mitra on 17.3.2020.

Written Statement

Shri G.P. Solanki, General Manager, Gujarat Mitra vide Written Statement dated 25.5.2020 submitted that news item in question was published on 22.1.2020. On its publication, CGST & Central Excise wrote a letter dated 22.1.2020 stating that the news item was false and also demanded apology immediately. He has further submitted that on enquiry it came out that Shri Samir Joshi was the person investigating the case and some other person was the accused in that case. He submitted that at their end, the person –in-charge of this item in their department translated it from English to Gujarati language. Somehow, though unintentionally, the news was translated erroneously. Instead of showing Shri Samir Kumar as the investigating officer, he had shown him as an accused. On realizing the lapse at their end, they immediately published a clarification on 23.1.2020 and clearly stated that Shri Samir Joshi is not involved in any wrong activity in the said incident and also tendered an apology about it. This makes it clear that there was no malice or bad motive on their part in publishing the news.

He has further submitted that on 23.1.2020, they received a call from Shri Ashok Mehta, Chief Commissioner of GST & CE, Vadodara Zone (Surat GST office falls under Vadodara Zone). He is the senior most officer of Shri Samir Joshi in Vadodara Zone. On receiving his call, they along with seniors went to Vadodara to meet him personally in his office and explained the matter. Mr. Mehta was satisfied with their action and explanation and kind enough to assure them that the matter is over at their end.

Counter Comments

The Assistant Commissioner, CGST & Central Excise vide Counter Comments dated 9.10.2020 submitted that the respondent may have contacted the Chief Commissioner, however, in the instant matter the complainant is the Commissioner, CGST Surat and not the Chief Commissioner, Vadodara Zone. Therefore, any apology had to be accepted by their office not other office. He has further submitted that Shri Samir Joshi had arrested Shri Fayyaz Ahmad Godil, Proprietor of M/s F.S. Textiles and partner of M/s Classic Industries on 21.1.2020, therefore in any translation, Commissioner, CGST Surat should not have come. Further, Removal of duties similarly cannot be translated from any wording from English to Gujarati. He has further submitted that this is not human/translation error that Shri Samir had been indulging with the cheater and superior officers were also involved and the arrest was made to hush up the matter. He has requested the Council to take strict action against the respondent newspaper.

Further reply from the Respondent

Shri G.P. Solanki, General Manager, Gujarat Mitra vide further communication dated 29.12.2020 submitted that the Chief Commissioner, CGST

&CE, Vadodara, who happens to be the senior most officer in the zone under which the complainant's office falls, had himself contacted them and summoned to meet him in person at his office in Vadodara to seek explanation in this matter. Therefore, they met the Chief Commissioner in person at the assigned time and gave him clarifications regarding the erroneously published news matter. He seemed fairly satisfied regarding clarifications. However, prior to that, they had already submitted their published clarification in writing to the original complainant, the Commissioner CGST Surat, as per their demand. He submitted that they have clarified and rectified the matter verbally, in writing and also by publishing it. He has requested the Council to close the case and end the matter.

Report of the Inquiry Committee

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

Nobody appears on behalf of the complainant. Mr. G.P. Solanki, General Manager appears on behalf of the respondent and states that apology shall be published in the newspaper in its next issue prominently on the first page. Gist thereof shall be as follows:

The newspaper regrets for publication of a news item in its issue dated 28th of January, 2020 regarding Shri Samir Joshi, Superintendent, C.G.S.T., Surat. His name was published in the newspaper due to the negligence of the journalist who has been reprimanded and withdrawn from the assigned portfolio. The newspaper expresses its regret for the publication and expresses its apology from Shri Joshi and the CGST Department, Surat. This was not intended.

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 direction.

Press Council of India

S.No. 29

File no. 14/288/19-20/PCI

Complainant

Dr. Pramod Malviya,
M.D., Betul,
District Clinic Betul,
Betul, Madhya Pradesh.

Respondent

The Editor,
Sanjivir Times,
Civil Lines, Betul
Madhya Pradesh.

Adjudication dated 27.05.2021

This complaint dated 07.08.2019 has been filed by Shri Pramod Malviya, M.D., District Clinic, Betul (M.P.) against the editor, Sanjivir Times, Betul for allegedly publishing false and misleading news under the following captions:

<u>S.No.</u>	<u>Captions</u>	<u>Dated</u>
1.	उल्टी हुई तो नाबालिग से बोले डॉक्टर गर्भवती तो नहीं	24.7.2019
2.	किशोरी से अशोभनीय बात करने वाले डॉक्टर को नोटिस	25.7.2019
3.	बीपी की मरीज महिला का डॉक्टर ने ईलाज से किया मना	-----

It was reported in the first impugned news item that a 15 year old adolescence was admitted to the hospital following seasonal fever and vomiting. When Dr. Pramod Malviya went to the ward on his regular visit, he asked the adolescent without checking her medical certificate, if she was pregnant. Following that, the parents got annoyed with the doctor and raised objections over his statement. The doctor did not pay attention and proceeded. The parents filed a complaint before the Civil Surgeon and requested to take action against the doctor.

It was reported in the second impugned news item that the doctor who used objectionable language against a girl, visited hospital following issue of fever and vomiting, has been served on Notice to clarify why he used such language for a 15 year old girl. It has further been reported that the doctor has not chosen to reply yet.

In the third impugned news item, it was reported that a patient namely Smt. Saroj Mehto visited District Clinic following issue of blood pressure. As per news article, Dr. Pramod Malviya asked the patient to show previous Medical certificates and when the patient could not make it available, the doctor denied the treatment and she was forced to take treatment from private hospital.

Denying the allegations, the complainant submitted that the respondent has been trying to tarnish his image for a long time. He has submitted that it is the discretion of doctor to decide as to how he gives treatment to a patient. He further submitted that he is the Incharge of Women ward and no adolescent can be admitted there. In this ward, every woman who has issues of vomiting is asked for the pregnancy test. Therefore, the doctor asked the girl if she was pregnant. However, her parents misinterpreted doctor's statement and filed a complaint against him. He submitted that the newspaper never asked for doctor's version before publishing the news.

Referring to the incident of physical abuse with the doctor happened six months back in the premises of hospital, the complainant submitted that he had filed a complaint of safety and security in the hospital premises with the Superintendent of Police. However, the respondent in order to prove the complainant wrong, published a news in his newspaper. He further submitted that one Mr. Gyanu Lokhande, working with the respondent newspaper, threatened the doctor over phone and he visited the hospital personally also and abused the doctor.

The complainant drew the attention of the newspaper towards publication of the news article but the respondent threatened the complainant over phone stating that he would never file any reply nor publish any corrigendum in the newspaper.

Show Cause Notice was issued to the respondent editor, Sandhya Dainik on 4.11.2019.

Written Statement

Shri Akash Shukla, counsel for the respondent editor, vide written statement dated 25.11.2019 submitted that the news article was published on the basis of the complaint dated 23.07.2019 filed by one Shri Subhash Bhavsar to the Civil Surgeon, Betul. Referring to the point that the respondent did not take version of the complainant, the counsel for the respondent submitted that the editor in order to take complainant's version tried to make a call on the phone numbers available in the hospital, but the phone was received by a woman who misbehaved with the editor. Therefore, the version of the complainant could not be published in the newspapers. He further stated that the employee of the newspaper namely Shri Gyanu Lokhande never made a call to the complainant. The complainant's claim that Shri Gyanu Lokhande threatened complainant's wife and children is completely false. The publication of articles was based on the complaints filed during complainant's tenure as Doctor. The respondent further submitted that the reply to the Notice was duly given through his counsel. 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 19.2.2021 at New Delhi.

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

The Inquiry Committee has perused the complaint, the written statement and the connected papers and is of the opinion that the impugned news item has been published on the basis of a report given to the Civil Surgeon of the District. Not only this, such news items have also appeared in other newspapers. The Inquiry Committee is of the opinion that while publishing the impugned news item, the respondent has not violated any Norms of Journalistic Conduct so as to call for action. The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dismiss the complaint.

Press Council of India

S.No. 30

F.No.14/493/18-19-PCI.

Complainant

Smt. Vimla Sharma,
Gwalior,
Madhya Pradesh.

Respondent

The Editor,
Chambal Chetna,
Gwalior (M.P.).

Adjudication dated 27.05.2021

This undated complaint, received in the Secretariat of the Council on 3.1.2019, was filed by Smt. Vimla Sharma, Gwalior (M.P.) against the Editor, Chambal Chetna, Gwalior for allegedly publishing false, baseless and defamatory news item against her son under the caption “सचिव अनिल शर्मा एवं वीके नरवरिया अब अवैध वसूली को लेकर विवादों के घिरे” in its issue dated 25.12.2018.

It was reported in the impugned news item that Shri Anil Sharma, Secretary, Krishi Upaj Mandi Samiti Magrauni, Shri V.K. Narwariya, Incharge of Mandi Barriers and Shri Padam Jatav, Inspector (who was suspended and later released after giving bribe) are indulged in illegal extortion of money from vehicles. They have extorted more than five thousand rupees per vehicle during the checking in the name of their superiors. When the matter of alleged extortion came to the knowledge of some officers and employees of Joint Director Office, their real face/misdeed got exposed in public. Apart from these persons, names of other officers and employees indulged in illegal extortion have also come to the knowledge of the Chambal Chetna newspaper. It has been reported that a written complaint against all these are being sent to Joint Director, Madhya Pradesh State Agricultural Marketing Board, Bhopal and other concerned departments.

The complainant submitted that Shri Anil Sharma, the Secretary, Krishi Upaj Mandi Samiti, Magaruni, District Shivpuri is her son and does his duty dedicatedly but Shri D.D. Sharma, Reporter, Chambal Chetna published false and defamatory news item against his son with an ill-intention to extort money while misusing the press for his benefit. The complainant has further submitted that the Reporter, Mr. D.D. Sharma is allegedly contacting the complainant's son on the telephone asking for money. Further, the complainant has submitted that the Reporter, Mr. D.D. Sharma uses the press to blackmail innocent and in past too he had been in jail in such extortion case.

No Written Statement

A Show-cause notice dated 5.7.2019 followed by reminder dated 16.8.2019 were issued to the Editor, Chambal Chetna, Gwalior for submission of written statement but no response was received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.2.2021 at New Delhi. There was no appearance from either side.

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to close the complaint.

PRESS COUNCIL OF INDIA

S. No. 31

F.No. 14/112/19-20-PCI

Complainant

Smt. Mukta Pathak,
E-11/5, Char Imli,
Bhopal, M.P.

Respondent

The Editor,
Dabang Duniya,
Navbharat Parisar, MP Nagar
Zone-1, Bhopal, M.P.

The Editor,
Dabang Duniya,
Zanzeerwala Chaurahe
Palasiya, Indore, M.P.

Adjudication dated 27.05.2021

This complaint dated 3.5.2019 has been filed by Ms. Mukta Pathak, Bhopal against Shri Kishore Vadhvani, Chairman, Dabang Dunia for allegedly harassing her since December, 2018 by using unparliamentarily language and threatening to kill her and also instigating their employees against her.

According to the complainant, she has joined the respondent newspaper as Vice President in 2015, which also operates regional TV channel besides publishing newspaper in Bhopal. She also works for the business enhancement of the respondent newspaper in the institute. The complainant has further submitted that before the M.P. Legislative election, the management of the respondent newspaper announced giving 15% commission of the advertisement as incentive to all its employees. She has brought advertisements of BJP and Congress parties amounting to Rs.1,09,00,000/- and her incentive become Rs.16,35,711/-, but Shri Kishore Wadhvani, Chairman of the company denied to pay the same. The complainant has alleged that the company then started to harass her and also trying to get her out from the company for saving the incentives. The complainant has further alleged that the company showed discriminatory behaviour towards her and it has given incentive to her fellow-employees, Shri Ajender Singh and Shri Sachin Kedar. Besides, all the employees are being given salary but the company has not given her salary since December, 2018. Further, due to her efforts, the company got campaigning programmes for Congress in the Lok Sabha election for telecast on its channel but incentive in this regard has been given to the employees Sh. Ajay Sisodiya and Shri Manohar Rajput working at Indore branch. According to the complainant, during meetings in February, March and April, 2019 at Bhopal when she asked for her salary, the respondent used unparliamentary language and threatened to get her out from the office and forced her to resign. Thereafter, she was again ill-treated during waiting so long to have a discussion with respondent at Dabang News Akadami. She has been informed by the respondent through e-mail that her last working day would be 30th April. Further, Shri Manoj Rajput, Editor in Bhopal filed an application alleging that Rs.5 lakhs commission for 46 false advertisements of Information & Public Relations Department estimated to Rs.12,28,45,381/- has been paid to her in cash. She has further stated that he is trying to mislead the case as cash transaction for this much amount is against the

rules of Income Tax. She is getting threatening calls by which she is feeling herself harassed. She has requested for strict action against the culprits and justice to her.

Notices for Comments dated 29.05.2019 was sent to the respondent Editor, Dabang Dunia, Bhopal and Editor, Indore.

Comments

The respondent, Shri Kishore Vadhwani, Chairman, Dabang Duniya vide comments dated 11.6.2019 submitted that the complainant has filed false and fabricated complaint. The respondent has further submitted that the Dabang Duniya newspaper is popular in the State and the complainant was their former employee. According to the respondent, the complainant had fraudulently published 46 advertisements in Dabang Duniya newspaper saying that these advertisements are released by the Public Relations Department and took Rs.5 lakhs from the newspaper as a commission. When they did not receive the payment of published advertisement, they enquired about the same from the Public Relations Department and came to know they have not issued any such advertisements to Dabang Duniya. Therefore, they filed an FIR No.309/2019 dated 22.5.2019 in Police Station Shahjahanabad, Bhopal against the complainant. The respondent has further submitted with a view to save herself, she filed false complaint against him and his employees in Women Police Station. On the alleged complaint of misbehaviour and eve-teasing, the management of the respondent newspaper has demanded inquiry from the DGP, Madhya Pradesh and the DIG, Bhopal by giving CCTV footage recording of the said date. This false complaint is being investigated by the C.S.P., Jahangeerabad, Bhopal. The respondent has also submitted that Ms. Mukta Pathak has been absconding in case No.309/19 dated 22.05.2019 under Section 420, 467, 468, 471 in Police Station-Shahjahanabad, Bhopal. According to the respondent, the complainant is indulged in many fraudulent cases and crimes. The respondent has further submitted that the complainant also manhandled and sabotaged their Indore office and in this regard a complaint has been filed in Police Station Tukoganj, Indore. The respondent has stated that the complainant made this false complaint to save herself from all the crimes, which is liable to be dismissed.

Counter comments

The complainant vide counter comments dated 1.7.2019 submitted that she has written a letter to the office of the Asst. Labour Commissioner, Bhopal in connection with withholding her salary from December 2018 to till date by the respondent newspaper. In this regard, a notice was issued to the respondent on 14.6.2019 to clear her salary dues within seven days which has been ignored by the management. The complainant has submitted that the respondent has diverted the issue by filing various complaints against her which is a clear cut after thought. This has been his modus operandi since the time she has filed FIR against him on 24.4.2019, he has been filing different false complaints against her so as to pressurise her to withdraw her FIR against him. On her complaint to the Council, the respondent newspaper has published wrong and defaming news in the front page which ran for 15 days in its channel. It is also widely circulated online, on Facebook and Whatsapp by the Chairman himself.

The complainant vide letters dated 30.7.2019 and 19.9.2019 has forwarded copy of the FIR against the respondent-Shri Kishore Vadhwani and informed that the investigation is on and Challan and arrest is expected soon.

Report of the Inquiry Committee

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

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to close the case.

PRESS COUNCIL OF INDIA

S. No. 32

F.No. 14/194/19-20-PCI

Complainant

Smt. Mukta Pathak,
E-11/5, Char Imli,
Bhopal, M.P.

Respondent

The Editor,
Dabang Duniya,
Navbharat Parisar, MP Nagar
Zone-1, Bhopal, M.P.

Adjudication dated 27.05.2021

This complaint dated 21.6.2019 has been filed by Smt. Mukta Pathak, Journalist, Bhopal, Madhya Pradesh against the Editor, Dabang Duniya, Bhopal for allegedly publishing false, misleading and defamatory news item under the caption “सरकारी विज्ञापन का मामला – मुक्ता पाठक पर 12.28 करोड की धोखाधडी का केस दर्ज” in its issue dated 23.5.2019.

It has been reported in the impugned news item that Mrs. Mukta Pathak, who has been the Vice-President in the popular newspaper Dabang Duniya, has cheated the institute for Rs.12.28 crore during her tenure. The accused woman took a commission of Rs.5 lakh for publishing 46 government advertisements relating to government schemes in the newspaper, Dabang Duniya. It has been further reported that when the matter was enquired, it has been found that the Public Relations Department has not issued such advertisements to the Dabang Duniya. Thereafter, a suit has been filed before the Hon'ble District Court. Following the court's order, a case has been registered against Mrs. Mukta Pathak at the Police Station Shahjahanabad under Section 420/467/468/471 of IPC and Mrs. Mukta Pathak will be arrested soon in this case. It has also been reported that when the institution Dabang Duniya asked Mrs. Mukta Pathak to deposit Rs.12.28 crores, she refused. On the contrary, in order to protect herself, she filed a false case against the Chairman and State Editor of Dabang Duniya.

Denying the allegations levelled in the impugned news item, the complainant has submitted that she was working with respondent newspaper, Dabang Duniya since 2015 but from December 2018, the Chairman of Dabang Duniya Group started harassing her by stopping her salary and also threatening to kill her. In this context, the respondents also tried to damage her reputation by publishing false and misleading impugned news item. The complainant has stated that despite repeated requests, the respondent has not published rebuttal. The complainant has further stated that she is a single working woman and the respondent has threatened her that he will not let her to get job in any media institution. According to the complainant, the amount of advertisement which has been referred in the impugned news has nothing to do with her. This is a matter between the newspaper group and the Public Relations Department. She has requested the Council to take necessary action in the matter.

A show-cause notice dated 20.11.2019 was issued to the Editor, Dabang Duniya, Bhopal.

Written Statement

The respondent, Shri Kishore Badhwani, Chief Editor, Dabang Duniya, Bhopal vide written statement dated 14.1.2020 while denying the allegation has submitted that the complainant was former employee of their newspaper group and left the job after fraud and forgery in their office. She had fraudulently published 46 advertisements in their newspaper saying that these advertisements are released by the Public Relations Department and payment of the same would be received later and the complainant also took Rs.5 lakhs from the newspaper as commission. On contacting the Public Relations Department, they informed that they have not issued any such advertisements to Dabang Duniya. Therefore, the respondent filed an FIR No.309/2019 under Sections 420/467/468/471 IPC in Police Station Shahjahanabad against the complainant. The respondent has further submitted that the complainant also illegally took Rs.50,000/- from their employee, Shri Gaurav Tiwari and in this regard an FIR No.278/19 under Sections 195A/294/505/327/386/34 IPC has been filed in Police Station Tila Jamalpura against the complainant. The respondent has further submitted that the complainant also did not return the office laptop and mike ID even after quitting the job deliberately and in this regard, on the order passed by Shri Amit Nigam, Judicial Magistrate, Bhopal, a case has been registered on 17.8.2019 under Section 406 IPC against the complainant. The respondent has stated that cases against him and others were also registered under Section 354 IPC by the complainant in Woman Police Station, Bhopal. Denying the allegations of misbehaving, the respondent has stated that the complainant has maliciously levelled false allegation with a view to defame him and his institution. The respondent has stated that the complainant is a fraudulent woman and three life imprisonment cases are registered against her in which she has been absconding. He has requested the Council to dismiss the case.

Counter comments

The complainant vide counter comments dated 7.2.2020 while reiterating her complaint has stated that the respondent in his reply has not addressed the issue of publishing front page news and as usual the respondent diverted the issue by talking about various false FIRs that he has got registered against her to intimidate her. The complainant has informed that the respondent had run false news in his TV channel "Dabang News" in May, 2019 claiming that "She is absconding and police team is searching her". After her complaint to Bhopal Police, the respondent was found guilty of propagating false news in his channel. According to the complainant, her problem in the organization began due to withholding of her salary since December, 2018 till date which comes in bank Rs.1 lakh p.m. without any valid reason. Also, non-payment of Rs.18 lakh incentive for business of Rs.1.20 crore done during Vidhan Sabha elections, 2018. Sexual favour was demanded for release of salary and incentives. When refused, hostile work environment was created and humiliation by junior staff. After, she filed complaint on 24.4.2019 in Mahila Thana, a spree of false cases registered against her through court. The complainant has further submitted that the respondent filed a false and fabricated case of 420/467/468/471 in May, 2019 accusing her of cheating Rs.12 crores of the company through government advertisements and taking Rs.5 lakhs commission from company. During investigation police found fabricated papers and vouchers forging her signature and no evidence of commission was given. As far as Rs.12 crore advertisements is concerned, there was no R.O., so no money credited by the Department of Public Relations. The complainant has also submitted that a false complaint made in Indore-Tukojiganj Police Station that she broke laptop, destroyed office stuff in

Indore office and walked away with Rs.1 lakh. The complainant has stated that no CCTV footage has proved this. She had a woman constable from M.P. Nagar Police Station with her to prove that no such incident took place. She has further stated that a case registered by the court under Section 406 once again falsely accusing her of not returning company laptop and mike id. Here also police report clearly states that there is no evidence against her. Another false FIR registered in Police Station Tila Jamalpura for extortion ordered by Court without any evidence. She was in a Mall at the time mentioned in the FIR and she has receipt to prove the same. While levelling allegation of harassment by the respondent, the complainant has stated that she is unable to get another job and she is struggling since past one year to get her rightful dues. The complainant has further stated that recently a RRC Notice was issued against the respondent by the Labour Department of Rs.12 lakh of her salary. Then, on February 3, during Kurki as he did not comply, a room in Dabang Dunia, Bhopal office was sealed by the office of Tehsildar as part of recovery process. She has also submitted that the respondent is in habit of misusing his newspaper to malign people and pressuring them to comply with his demands. She has requested the Council to take necessary action against the respondent.

Report of the Inquiry Committee

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

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to close the case.

Press Council of India

S. No. 33

F.No.14/301/19-20-PCI.

Complainant

Shri Sunil Purohit,
Shri Pratap Singh Gurjar,
Shri Shiv Narayan Meena,
Shri Naresh Patidar,
Shri Rajendra Singh Thakur,
Shri Ratan Singh Solanki,
Shri Patiram Ghoshi,
Shri Santosh Meena,

Respondent

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

Through

Ms. Kumari Rekha Singh,
Advocate,
Bhopal (M.P.)

Adjudication dated 27.05.2021

This complaint dated 18.8.2019 has been filed by S/Shri Sunil Purohit, Pratap Singh Gurjar, Shiv Narayan Meena, Naresh Patidar, Rajendra Singh Thakur, Ratan Singh Solanki, Patiram Ghoshi and Santosh Meena through advocate, Ms Kumari Rekha Singh, Bhopal (M.P.) against the Editor, Dainik Bhaskar, Bhopal for allegedly publishing false, misleading and defamatory news item under the caption “घोटाला-118 करोड डुबने के बाद शेष राशि बचाने की कवायद – को-आपरेटिव बैंक को नोटिस, वित्तीय संस्थाओं में रखे 213 करोड रुपये बचायें” with sub-hearing “कुर्क होगी अध्यक्ष, उपाध्यक्ष और डायरेक्टर की संपत्ति” in its issue dated 18.8.2019.

It is reported in the impugned news item that after drowning Rs 118 crores in the investment scam, the Bhopal District Central Cooperative Bank (DCCB) has started process to save Rs.213 crores. The Cooperatives Department has given notice to Bhopal DCCB to immediately convert the remaining invested amount on commercial paper into cash. It has been further reported that decision regarding these unsafe investments were taken in 2016-17. The then board agreed to it. The private chartered accountant auditing institutions are M/s Aggarwal & Mittal, Sabu & Sabu, Chhajed & Co, Subhash Sharma and Anil Bhargava. Out of these, one company carried out the mess by staying on the investment committee. It is also reported that the officials S/Shri R.S. Vishwakarma, Jeevan Singh Methil, Sunil Purohit, Pratap Singh Gurjar, Kewal Singh Thakur, Shiv Narayan Meena, Naresh Patidar, Rajendra Thakur, Ratan Singh, Sugna Bai Jat, Bhairon Singh Gurjar, Patiram Ghosi and Santosh Meena were included in the Board. Preparations are being made to recover this money from their assets. The impugned news item also disclosed the amount of Adani Group, Karvi Group, Future Group and Global Capital.

Denying the allegations, the complainants have alleged that the respondent falsely reported that their property will be attached and thereby tarnished their image in the society. According to the complainants, Bhopal Co-operative Bank is a registered institution and they are currently members of this institution having the highest rights. Bhopal Bank performs business under the rules and instructions made by the Reserve Bank of India. The information of the account holders of the bank is highly confidential. The complainants have further alleged that the respondent himself created/prepared crooked documents and published the impugned news item. The complainants have stated that the respondent also disclosed the confidential information about the personal accounts and the account holders. The complainants have further stated that the impugned news item ruined the image of Bhopal Co-operative Bank and also negatively affected the bank and thereby causing great loss to their business.

The complainant vide letter dated 18.8.2019 drew the attention of the respondent towards the impugned news item but no reply was received.

Show-cause Notice dated 11.10.2019 was issued to the Editor, Dainik Bhaskar, Bhopal followed by a reminder dated 21.11.2019.

Written Statement

Shri Anil Kumar Gupta, Dainik Bhaskar, Bhopal vide his written statement dated 24.12.2019 has stated that the complaint filed by the complainants is false and baseless and liable to be dismissed. According to the respondent, Dr. M.K. Agrawal, Commissioner & Registrar, Co-operative Society Madhya Pradesh had written a letters dated 30.7.2019 to the Managing Director, Bhopal Co-operative Central Bank Ltd., Bhopal and Managing Director, Madhya Pradesh State Co-operative Bank Ltd., Bhopal for protecting the appropriated amounts and also directed to complete the above work in three days giving top priority. The respondent has further stated that he published the impugned news item on the basis of these letters and information received from reliable sources. The respondent has also stated that he has not mentioned any specific person in the impugned news item. 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 19.02.2021 at New Delhi. There was no appearance from either side.

Despite service of notice, the complainant has not chosen to appear. In the absence of the complainant the Inquiry Committee is not inclined to proceed in the matter any further and 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. 34

F.No. 14/617/18-19-PCI

Complainant

Dr. J.N. Nayak,
Chairman,
Sudarshan Cooperative Housing Society Ltd.,
Dombivali (E),
Thane, Maharashtra.

Respondent

Shri Vasant Kaselkar
Editor & Publisher
Dombivali Varta,
Weekly newspaper,
Thane Maharashtra.

Adjudication dated 27.05.2021

This complaint dated 1.2.2019 has been filed by Dr. J.N. Nayak, Chairman, Sudarshan Cooperative Housing Society Ltd, Dombivali, Thane, Maharashtra against Shri Vasant Kaselkar, a resident of the same society and a claimed Editor/Publisher of 'Dombivali Varta', Thane for allegedly misusing the newspaper's name for personal benefit by harassing/blackmailing the office bearers of the said society and its members.

According to the complainant, in a cooperative society of 12 members including the respondent, "redevelopment" of the society is proposed and the process of the same is going on. The respondent wanted a particular developer/builder for redevelopment, for that he misused his newspaper/letter heads for lodging false complaints against the office bearers of the society to various government agencies, police stations, authorities and accordingly, initiated for cases/hearings etc. with sole intention to stall the project till his favourite is not selected. To do this, he acts as an individual member of the Society and as a "Press owner/reporter" to bypass normal channels for lodging complaints against the society.

The complainant stated that at the initial stage of data collection for the process of "redevelopment", one builder submitted the tender to them. The respondent presuming him to get the contract, went to the builder and gave him a letter of big demands in "Dombivli Varta" letterhead, without any intimation to society members. The respondent did it as proprietor of the newspaper and on receiving no response to his letter as 'he wanted', he lodged a false complaint against the office bearers on 29.11.2017 to the Deputy Registrar, Cooperative societies, Dombivali (2) and endorsed its copies to other authorities, again disregarding proper channel using his newspaper's letterhead. The Society verified to the authorities that the whole process of redevelopment is yet to take place and asked the respondent during the society meeting to not to take any detrimental steps to society's functioning. After few months, the society proceeded as per the norms and selected three tenders with due consultation and scrutiny and giving details about the final selection date and copies of tentatively accepted tenders to all the members and asked them to select one in the final meeting.

On the deciding day, secret ballot took place, in which the respondent refused to accept the ballot papers and instigated two more members to not to participate in voting. Following which he filed a complaint against the society for doing casteism and communal discrimination in selection of builder, again using his newspaper's letter head, even being a building committee member himself. A similar complaint

was also lodged at police station Dombivali against the society. Because of these complaints, the Deputy Registrar directed for conducting re-election and for verification of votes in front of the government officer deputed by department (with video recording of the whole procedure). Meanwhile, in order to abstain the government official from attending the society meeting, the respondent informed them that the chairman/secretary is involved in a police case about caste discrimination. However, the election took place as scheduled and the officer declared 10 out of 12 votes in favour of the builder (not in favour of the respondent).

The respondent alongwith one or another member of the society lodged complaints against the society using 'Dombivali Varta's' letterheads. The complainant has further informed that for the last 8-10 months, no member in the society has seen a printed copy of 'Dombivali Varta', hence he doubts that whether the newspaper is printed at all, and the respondent is continuously using the letterhead as a weapon for personal purposes, harassing public and blackmailing authorities etc. The complainant has requested to enquire into the matter for professional misconduct of the respondent.

A Notice for comments dated 6.3.2019 was issued to Shri Vasant Kaselkar, Editor/Publisher, Dombivali Varta, Thane on 6.3.2019. However, in the absence of any reply, show-cause notice was issued to the respondent on 3.5.2019 but the same was received back undelivered from the postal remarks "left". Therefore, show-cause notice was issued to him on another address on 15.07.2019.

Written statement from Respondent

The respondent- Shri Vasant Kaselkar, Editor/ Publisher, 'Dombivali Varta', Thane vide written statement dated 8.5.2019 while denying the allegation levelled in the complaint has submitted that he was Secretary of the society from 2009 to 2014 and he had saved lakhs of rupees of the society by transferring the land in the name of the society through sources. The respondent has further stated that the Chairman and the Secretary of the society created uproar in the society and he (the complainant) and one another member of the society have been opposing their illegal activities. With a view to stop them, he complained against them to the authorities without any ill-intention. According to the respondent, he has been living in Dombivali for the last 45 years but there is no single allegation of blackmailing against him. The respondent has stated that he did not give any news against the complainant to any newspaper because it could have brought the society into disrepute. The respondent has also stated that the complainant filed this complaint without any evidence with a view to defame him.

The respondent vide further communication dated 29.7.2019 stated that the authorities of the society have deliberately filed complaint against him. The respondent has further stated that he is using his letterhead in compulsion to stop their wrong doings and he has no intention to hurt them. According to the respondent, being a journalist, he is doing his duty by keeping the matter of adverse situation in front of all the members. The respondent has further stated that the complainant felt it bad and filed false complaint against him. The respondent has also stated that the society members have deliberately violated government's redevelopment rules, so that the matter of the society has gone to the co-operative Court. The respondent requested to forgive him if he has done mistake.

Counter Comments

The complainant vide his undated communication, received in the Secretariat of the Council on 7.8.2019, while stating that he has not received any reply of the respondent, has submitted that he received a notice from the Divisional Joint Register, Kokan Division, Navi Mumbai where the respondent has submitted Hindi translation of his reply addressed to the Press Council, noting "False Accusations" about him in the capacity of Editor of 'Dombivli Varta'. The respondent has further stated that all accusations are false, however he will provide a proof of one glaring accusation i.e. he has stopped practice since 4-5 years back & doing nothing now. However, he is working as Consultant in a reputed hospital in Dombivali and doing private practice also. The complainant has also stated that if a person writes false statement to authorities like the Council, it can gauge his "character" and must take suitable action for such statement.

Further communication received from Complainant

In response to Council's Notice for Hearing dated 04.02.2021, an undated letter has been received from the complainant wherein he has submitted that Mr. Kashelkar was quiet and non-disturbing since he submitted an apology on 29.07.2019 i.e. he was not writing against the complainant and society. Earlier, Mr. Kashelkar had filed complaint against complainant before 3 cooperative courts in which court held complainant right. Since September 2020, he is again writing unsuitable, false words for the office bearers/chairman in the Sudarshan Society Group. Aggrieved with all the cases, the society came to settlement that both the parties shall withdraw their cases but no such attempt is seen from Mr. Kashelkar, he still continues to write whatsapp comments and using the closure of cases as a tool to blackmail the members.

Further communication received from Respondent

The Editor of Dombivli Varta vide his dated 10.02.2021 has stated that the complainant's grievances with him have been resolved in the Special General Meeting of their Society held on 03.01.2021.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.02.2021 at New Delhi. There was no appearance from either side.

Despite service of notice, the complainant has not chosen to appear. In the absence of the complainant the Inquiry Committee is not inclined to proceed in the matter any further and 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. 35

File No. 89/2020-A-PCI

Complainant

Shri Sunil G. Godbole,
Andheri East,
Mumbai, Maharashtra

Respondent

The Editor,
Loksatta, Marathi Daily,
Mumbai, Maharashtra

Adjudication dated 27.05.2021

This complaint dated 20.02.2020 had been filed by Shri Sunil Gajanan Godbole, Mumbai against the Editor, Loksatta, Marathi daily, Mumbai for allegedly publishing fake news article under the caption “**Shonar In Cricket Also**” with sub caption “**Bangladesh’s Success on Various Fronts Like Economy, Health Sector, Education, Empowerment and Secularism Percolating into Games Is Welcome**” (Translated version as provided by the complainant) in its issue dated 15.2.2020.

As per translation provided by the complainant, it was reported in the impugned news item that digesting the unexpected defeat at the hands of Bangladesh team in Under-19 world cup looks to be a daunting task for many of Indians cricket fans, they are not able to accept it. It has further been reported that some players of Bangladesh got swayed in the frenzy of victory, this was wrong but was not expected. In future they would mature enough to control their emotions. It was further reported that “we (Indians), while using the word Bangladeshi in a mean and shallow way, are infact insulting emotion of self respecting nation. It is reported that while passing CAA bill, issue of so called cleansing and atrocities against minorities in Pakistan, Bangladesh and Afghanistan was again and again debated with zeal. Out of this except Pakistan other two are friendly nations. Those who deride people of Bangladesh as “Bangladeshi” are either not aware of the achievements of Bangladesh on various fronts like economy, health sector, education, empowerment and secularism and sometime they are not ready to accept it even knowingly. Such people do not have enough large heartedness. It is evident that Bangladesh while successfully fighting Islamic radicalism maintained its Bangali identity and treated Hindu minority only with respect and nothing else.”

The complainant stated that the respondent insulted Indians in the editorial and called Indians narrow minded. There is no statistics present that Indians have not welcomed the Bangladesh U-19 team’s victory in world cup and Indians have not been able to digest it. He submitted that the editor has not mentioned if any Indian player has made derogatory remark or even Indian fans have given any statement in this regard. The complainant further submitted that as per editor the debates in Parliament are not based on facts but based on figment of imagination, it is an insult to the Parliament. The editor completely destroys the character and identity of an Indian. The editor shown the Indian in poor light as a mean human. The editors’ statement that Indian’s thinking can’t go beyond Pakistan is completely wrong.

Show Cause Notice to the respondent editor, Loksatta, Mumbai was issued by the Council on 18.3.2020.

Written Statement

The Editor, Loksatta, Mumbai vide written statement dated 10.11.2020 submitted that the editorial nowhere says that debates in Parliament are not based on facts. It is not mentioned in the editorial that the Parliament passes the law (in case of CAA) for which basis is “figment of imagination”. He submitted that during the discussions on CAA, there was much talk about “Kathit” (so called) harassment on minorities in Pakistan, Bangladesh and Afghanistan. It was forgotten that except Pakistan, the other two countries have good relation with India. There is absolutely no insult to the Parliament anywhere in the editorial. Referring to ethnic cleansing and persecution of Hindus in Bangladesh, the respondent submitted that under the present democratic leadership of Hon’ble Prime Minister Mrs. Sheikh Hasina, there is no widespread persecution or ethnic cleansing of Hindus minorities in Bangladesh. The respondent further submitted that there is nothing in the editorial which destroys character and identity of Indians. Further, the editorial does not show Indians in “poor light” and “narrow minded bunch of haters” nor mention India as “immature” as suggested by the complainant. The respondent submitted that the editorial merely opines that India should pay more attention to a near neighbour whose economic progress is well documented and that is well inclined towards India.

Counter Comments

The complainant vide counter comments dated 21.12.2020 submitted that editor’s claims that progressive Bangladesh is committed to inclusive growth and secular values are not supported with any statistics. In fact many news items on internet in recent past clearly describe the atrocities against minority Hindus in Bangladesh. He has further submitted that the word “Kathit” i.e. so called used by the editor in editorial that –issue of so called cleansing and atrocities against minorities in Pakistan, Bangladesh and Afghanistan was again and again debated is complete insult of the Parliament as using the word so called reflects that the Parliament passes law based on figments of imagination. He has submitted that the editor has insulted democratic institutions and processes. The claim of the editor that atrocity related views are his personal views, while fact is that the editor has to write based on facts. The complainant submitted that the editor completely destroys the character & the identity of an Indian. The editor has shown Indian in poor light as a mean human. Further, the editor portrays Indian society as narrow minded bunch of haters. He has further submitted that the editorial was published few days after Delhi riots took place after Shahinbagh. This had background of anti CAA agitation. Editor has not shown any sense of timing and responsibility while writing an article which also talks about CAA law. He submitted that just because the editor has the power of newspaper, he has no right to abuse India, Indians and Parliament.

Further reply filed by the Respondent

The respondent vide his counter dated 27.1.2021 stated that the complainant is unable to and unwilling to respect or accept a different point of view. He further stated that in a vibrant and large constitutional democracy, this attitude is unacceptable. The counter comments filed by the complainant were repetitive do not disclose anything other than his intense desire to harass and intimidate the editor of Loksatta. According to the respondent, the complainant accepted that the Bangladesh government under the leadership of Prime Minister, Ms. Sheikh Hasina does not encourage or sponsor persecution of Hindus. He stated that the complainant is wrong in his translation and wrong in his understanding of the editorial.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.2.2021 at New Delhi. There was no appearance from either side.

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dispose of the complaint.

Press Council of India

S.No. 36

F.No.14/336/19-20-PCI.

Complainant

Shri Dinesh Kumar Shukla,
Prayagraj,
(U.P.).

Respondent

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

Adjudication dated 27.05.2021

This complaint dated 16.9.2019 was filed by Shri Dinesh Kumar Shukla, Prayagraj (U.P.) against the Editor, Dainik Jagran, Prayagraj for allegedly publishing false and defamatory news item under the caption “आइईआरटी के लेक्चर हॉल में पड़ी दरारें” in issue dated 7.9.2019.

It was reported in the impugned news item that cracks are developed in the walls of two lecture halls of the Indian Institute of Rural Technology, a leading institute of engineering diploma course. It has been further reported that a new Three-D EPS technology was used in constructing the halls. The contract for construction was given to a famous private company at the cost of Rs.27 lakhs. At present, the cracks in the walls are being filled up with cement.

The complainant submitted that he is the contractor and has undertaken construction work of the Institute. According to him, construction with new cost efficient and environment friendly technology known as “EPS Core Panel System” does not require as much time as in case of conventional brick and concrete construction. Hence, this series of construction is entirely different from the conventional building work. The complainant further stated that the photograph published in the impugned news item was around one year old and the cracks developed in the building is part of construction which has to be removed in the second round of finishing and is normal course of construction of such building but being new technology everyone is unaware of such phenomena and are under comprehension. The Institution Authority has obtained Notice for technical ‘OK’ certificate from Harcourt Butler Technical University (HBTU), Kanpur after a detailed survey of the building on 7.8.2019. The complainant alleged that the respondent has offended against the standards of journalistic ethics which tantamount to the professional misconduct as on the basis of one year old photograph and without going through the facts of the case have published fake news item, which may be evident that the building is close for around 5-6 month and no repairing work has taken place in these period but building is in ‘OK’ position and may be inspected any time. The complainant has also alleged that the impugned news item is paid news and was published at the behest of competitor contractors.

The complainant vide his letter dated 10.9.2019 drew the attention of the respondent towards the impugned news item with a request to publish apology but no response has been received.

A show-cause notice was issued to the respondent Editor, Dainik Jagran, Prayagraj on 1.11.2019.

Written Statement

Shri Madan Mohan Singh, News Editor, Dainik Jagran vide his written statement dated 23.11.2019 while denying the allegation levelled in the complaint stated that the impugned news item was published after due verification and there was no intention to tarnish the image of the complainant. Regarding the complainant's statement of constructing the work of the building with new environment friendly technology, the respondent denied the contents for want of knowledge. With regard to the 'OK' certificate issued by the HBTU, Kanpur, the respondent has stated that he has no concern with it. The respondent further stated that as per the complainant the Notice issued to the respondent on 11.9.2019 whereas the complaint itself was signed by the complainant on 16.9.2019 and further from perusal of the affidavit the date of affidavit in the complaint is not mentioned, thus, the complaint filed by the complainant is not maintainable under the Press Council Regulations, 1979. The respondent also stated that the Notice issued by the complainant to him has not been received by the Dainik Jagran of Prayagraj office. While denying the allegation of any enmity with complainant, the respondent stated that the complaint is based on wrong facts and liable to be rejected.

Counter Comments

The complainant vide his counter comments dated 13.12.2019 alleged that the written statement of the respondent is highly objectionable. The complainant has stated that the written statement is astonishing as on one hand respondent said that the contents of the complaint is wrong and on other hand denied for want of knowledge hence both assertion is contradictory. The complainant further stated that, however, the 'OK' certificate issued by the HBTU has no concern with the respondent, but that material is placed to establish the fact that the building was in OK condition at the time of publishing the impugned news item. The complainant has also stated that the respondent misled the Hon'ble Council by depicting wrong fact that complainant has not sent Notice to the respondent on 11.9.2019 and complainant himself signed the complaint on 16.9.2019, whereas the fact is that Notice was sent to respondent on 11.9.2019, which is annexed with the complaint, and that Notice duly served upon the respondent and was received by him.

Communications from the Respondent

As per order passed by the Inquiry Committee on 16.12.2020, the Editor, Dainik Jagran vide his letter dated 25.1.2021 furnished copy of the affidavit of the reporter of Dainik Jagran wherein it was stated that the photograph was taken just a day before publication of the impugned news item dated 7.9.2019.

As per order passed by the Inquiry Committee on 16.12.2020, the Editor, Dainik Jagran vide letter dated 5.2.2021 has furnished cheque amounting to Rs. 5000/- in favor of the Press Council of India.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. There was no appearance on behalf of the complainant. Shri Kapil Yadav, Legal Officer and Advocates, Shri B.K. Mishra and Ms. Poonam Atey appeared on behalf of the respondent.

In the light of the Order dated 16th of December, 2020, the respondent has filed an affidavit. According to the complainant the impugned news item was based on an year old photograph. This has been denied by the respondent in the affidavit. Despite service of notice, complainant has not chosen to appear. In his absence, the Inquiry Committee is not inclined to proceed in the matter any further and disposes of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dispose of the complaint.

PRESS COUNCIL OF INDIA

S. No. 37

F.No.14/815/13-14-PCI

Applicant

The Editor,
Dainik Jagran,
New Delhi.

Respondent

Shri Yogesh Chand Sharma,
New Delhi
through
Ms. Parag Sharma,
Advocate

Adjudication dated 27.05.2021

The Council in its meeting held on 9.9.2016 adjudicated the complaint of Shri Yogesh Chand Sharma filed against respondents (i) Dainik Jagran; and (ii) Aaj Samaj and in the said case the respondent-newspapers were found guilty of publishing defamatory and misleading news items and accordingly **Censured** by the Council.

Applicant-Dainik Jagran, hereinafter referred to as the respondent, challenged the decision of the Council dated 9.9.2016 and advisory dated 13.9.2017 issued by the Directorate of Advertising & Visual Publicity (DAVP) before the Hon'ble High Court of Delhi.

Hon'ble High Court of Delhi vide its Order dated 30.11.2018 in WP{C} 8788/2017 has directed as follows:-

“the Press Council of India to examine the petitioner’s review petition on merits and take an informed decision. The petitioners are also at liberty to file further documents and/or representation in support of the review petition within a period of one week from today. The same may also be considered if it is filed within the specified period (that is within a period of one week from today). PCI shall pass a speaking order as expeditiously as possible and preferably within a period of three months from the date of order.”

The Hon'ble High Court also stayed the Advisory dated 13.9.2017 issued by the DAVP till the final decision of the PCI which was subject to the orders passed by PCI in the review petition. The Court clarified that in case the PCI accepts the petitioner’s request for reviewing the order, the advisory to the extent it relates to the petitioners shall stand set aside. However, if the petitioner’s review petition is rejected, the advisory shall be implemented.

Review Petition filed by Dainik Jagran

The respondent, Dainik Jagran has filed review petition dated 18.9.2017 against the aforesaid adjudication dated 9.9.2016. The respondent submitted that the impugned news item was published on the basis of the information gathered by the local reporter of the newspaper, believing it to be true. The newspaper or its editor had no ill-will against the complainant. On the contrary the news item itself disclosed the source of information and named the Police officer, Shri Narendra Kumar, who had given the information regarding chasing the vehicle of the complainant. He has

further submitted that the contention of the complainant that false allegations were levelled against him are factually incorrect. The reporter of the applicant newspaper was available at the spot while complaint was given to the Police by the people of the locality. Moreover, the police officer chased the car also informed the media person whereupon the news in question was published.

Further, the complainant had also instituted a suit for damages on account of publication, and hence the complaint filed by him was liable to be dismissed in view of section 14 (3) of the Press Council Act, 1978.

Accordingly, respondent has requested the Council to review the adjudication dated 9.9.2016 and left for decision by the Civil Court, Faridabad.

Report of the Inquiry Committee

The matter came up for hearing on 23.02.2021 at New Delhi. Mr. Kapil Yadav, Legal Officer, Mr. B.K. Mishra and Ms. Poonam Atey, advocates represented Dainik Jagran.

The Petitioner, Dainik Jagran has filed this review application against the Order of the Council whereby it had censured the newspaper, in the light of the Order passed by the Hon'ble High Court of Delhi in W.P.(C) No. 8788 of 2017. By Order dated 30th of November, 2018 passed in the aforesaid case, the High Court has directed the Council to examine the review petition on merits and take an informed decision. Bearing in mind the direction aforesaid, the Inquiry Committee has heard the respondent and has also perused the impugned news. In the opinion of the Inquiry Committee, the reference of a lady sitting in the car and fleeing away in the impugned news item was uncalled for. The Inquiry Committee is of the opinion that the respondent ought to have been more careful while publishing the impugned news item. Accordingly, the Inquiry Committee recalls the Order of censure passed against the respondent-applicant but caution it to be careful in future.

With the aforesaid directions, the Inquiry Committee recommends for disposal of the review application.

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 review application.

Press Council of India

S. No. 38

File no. 14/402/19-20-PCI

Complainant

Dr. Devjeet Dutta,
Dutta Pathology,
Satna, M.P.

Respondent

The Editor,
Peoples Observer,
Satna, M.P.

Adjudication dated 27.05.2021

This complaint dated 3.10.2019 has been filed by Dr. Devjeet Dutta, Dutta Pathology, Satna, M.P. against the editor, Peoples Observer, Satna, M.P. allegedly for publication of a news article in its weekly newspaper under the following captions:

<u>S.No.</u>	<u>Caption</u>	<u>Date</u>
1.	खून की दलाली में रंगे देवजीत दत्ता के हाथ	25.9.2019 to 1.10.2019
2.	डॉ अरुण मड़ती और डॉ दत्ता के सामने ब्लड बैंक संचालन के नियम लता	9.10.2019 to 15.10.2019

It has been reported in the first impugned news item that illegal trade of blood is going on in the “Satna Blood Bank” and this is being done by Dr. Arun Mehti and Dr. Devjeet Dutta. It has further been reported that after getting license in the name of “Lions Club”, a counter was opened in the “Shyamshah Medical College”, Reeva, M.P. by “Satna Blood Bank” and it bypassed the rules and regulations and sold one unit of blood at Rs. 3500/-. As per the agreement, the blood Bank Committee can charge only Rs. 1050 while it started charging approximate Rs. 2400 as an additional amount over one unit from the guardian of patients.

It has been reported in the second impugned news item that the Lions Club organisation, the founder of Satna Blood Bank, has written a letter to Licensing Authority Bhopal and requested to close the said Blood Bank. In the letter the Lions Club informed the government that because of irregularities in the Satna Blood Bank, the image of the organization is being distorted. Further, it has been written in the letter that MOU (Memorandum of Understanding) signed between the organization and Satna Blood Bank be considered null and void. It has further been reported that after the decision of this organization, the proprietor of the Satna Blood Bank has submitted all the documents to District Chief Medical Officer. The Health Officer after investigating records shall submit Report in Bhopal.

Denying the allegations, the complainant submitted that the respondent newspaper demanded for advertisement and after the same was denied by him, the respondent editor published false and misleading news against him. He has further submitted that his social image has been damaged after publication of the news article. He submitted that he has been running Pathology lab for last 25 years but after publication of the news, the image of the Center has been damaged.

The complainant vide letter dated 5.11.2019 drew the attention of the respondent editor in this regard. However no response was received.

No reply

A Show Cause Notice dated 3.1.2020 followed by a reminder dated 12.2.2020 was issued to the respondent newspaper, Peoples Observer. However, no response was received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.02.2021 at New Delhi. There was no appearance from either side.

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint.

Press Council of India

S.No.39

F. No. 180/2020-A-PCI

Complainant

Dr. D.C. Prajapati,
Vice President, Medicine Cell,
BJP, Incharge Delhi East Lok Sabha,
New Delhi

Respondent

The Editor,
Times of India.
New Delhi.

Adjudication dated 27.05.2021

This complaint dated 25.3.2020 was filed by Dr. D.C. Prajapati, Vice President, Medicine Cell, BJP (Incharge Delhi), East Lok Sabha, New Delhi against the Editor, Times of India. New Delhi for false defamatory article for Ayush and Homeopathy treatment under the caption '**Beware of quacks, Alternative medicine is injurious to health**' in its issue dated 22.3.2020.

It was reported in the article that while following the precautions from COVID-19 pandemic, it is also equally important to avoid alternative treatments. It was further reported that the Ministry of AYUSH should be abolished as the same is being run by the government on the coerced taxes collected from the taxpayers of the country and the same does not have any relevance. The respondent has put up the picture on social platform that homeopathy treatments lose their nears and dears, while adding an example to his verbatim, he referred a story of a couple residing in abroad lost their daughter as they were following these alternative treatments. The concerned writer also wrote that the said couple is being convicted for manslaughter.

The complainant has stated that it is very unfortunate statement, wherein the respondent newspaper has explicitly defamed the homeopathy and Ministry of Ayush. He further stated that the news story has not only defamed both the medications, but has also put the reputation of the doctors of both the sciences at deficient place. He also stated the doctors of Homeopathy discipline and Ayush who pursued their degrees for six years became futile with this. According to the complainant, it has not even been considered by the respondent newspaper that the Hon'ble Prime Minister of our country has encourages these treatment. He has further stated that these treatments cure the disease from the root. The complainant further stated that the article in question may have been read by infinite people, and due to which the image of the homeo science has been blurred. He also stated that due to this publication the doctors of Ayush have boycotted the Times of India. He asked the respondent editor for taking necessary action immediately failing which, he will be compelled to approach the court of law.

Show Cause Notice dated 25.6.2020 followed by a reminder dated 3.9.2020 was issued to the respondent editor seeking his written statement.

Written Statement

The respondent editor vide his written statement dated 3.10.2020 while denying the allegations submitted that the impugned article in question was published in public interest. He stated that the readers of the Times of India appreciates its healthy discussion on the issues raised by the newspaper. News worthy items/personalities/information and analysis of political parties etc. are

selected by the editor for catering the need of its readers, so as to fulfil its duties being fourth pillar of the democracy. He also stated that the paper carries deep regard for alternative remedies of treatment. He also stated that he understands that the medications in ancient time were done through these remedies. He referred the era of atherva veda and saints and has expressed his regard towards them. He has stated that the article in question has been sculpted by a renowned journalist of Times of India who does have his worth in his field. The complainant has portrayed this picture of the article in negative sense, whereas, the respondent has not published it with those intentions.

He put up his denials for labelling the Ministry of Ayush and homeopathy doctors as Charlatan or Quack. The article in question was carried in view of general public interest and to sensitize the readers against their ignorant behaviour towards COVID-19 pandemic. He also stated that by writing such article the respondent has raised concern for general public and to make them aware for following necessary precautions.

He further stated that he published another article on 27.3.2020, captioned '**Alternative medicine isn't quackery. It is proven traditional wisdom**' in the continuous way wherein the clarifications were given about the article in question, and he expected that the complainant may also had gone through it.

He has also mentioned in his written statement, that he is working in the true spirit and serving the society, keeping in view his services, the complaint is question is liable to be rejected, as he never intended to defame or disrespect the Ministry of AYUSH and Homeopathy.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. While complainant appeared in person along with Dr. Manish Bhartiya, Dr. Kalpana Kuswaha and Advocate A. Chauhan, the respondent is represented by its counsel, Shri Akash Nagar.

The Inquiry Committee has heard the complainant as also the counsel for respondent. The Inquiry Committee is of the opinion that the impugned article is an opinion piece and while expressing the opinion, the author has the freedom to do that. The Council can interfere with such freedom only when it comes to the conclusion that the opinion expressed is absolutely absurd. The Inquiry Committee is of the opinion that the view taken by the author is not absurd and therefore does not call for any action by the Council.

In view of aforesaid, the Inquiry Committee recommends for disposal of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dispose of the complaint.

Press Council of India

S. No.40-43

File no. 14/294-297/19-20

Complainant

Maa Vishvambhari Dham Charitable
Trust, Valsad
Gujarat

Respondent

The Editor,
Prajanad, (Weekly)
Valsad, Gujarat

The Editor
Valsad Darpan, (Weekly)

The Editor,
Dakshin Gujarat Vartman,
(Weekly)
Valsad, Gujarat

The Editor,
World Times (Weekly),
Navsari, Gujarat

Adjudication dated 27.05.2021

This complaint dated 11.8.2019 has been filed by Maa Vishvambhari Dham Charitable Trust, Valsad, Gujarat against the four newspapers namely (i) Prajanad (ii) Valsad Darpan (iii) Dakshin Gujarat Vartman and (iv) World Times allegedly for publication of false, baseless and defamatory news items under the issues dated 8.7.2019, 9.7.2019, 25.7.2019 and 27.7.2019 respectively .

As per translation provided by the complainant, it has been reported in the first impugned news item that agriculture land is being used for commercial purpose by the Trust. It has further been reported that the Trust did not take permission from the concerned department of the government before making temple at the Panchayat land of Rabda Village.

The second impugned news item states that in 2016 a temple was constructed in Rabda, Valsad. The total amount i.e. Rs. 10 crore is said to have been used in the construction while as per proprietors the total expenditure in the construction was Rs. 15 lakh. It has further been reported that despite Trust having exemption from paying tax, the purpose of hiding expenditure of the construction is mysterious.

The third impugned news item states that due to irregularities happening in the trust, a citizen has filed complaint before the District Collector. It has further been reported that in the temple constructed by the trust , a “Bhavya Yagya” was performed.. An amount of Rs. 2,51,000/- was fixed for who wants to sit as “Yajmaan” in that ritual.

The forth impugned news item states that in the name of ‘Dharma’, business is being run. Anyone makes Trust and in the name of trust land is purchased and temple is constructed. Thereafter, Lakhs of rupees are taken from people. The same is happening in the Vishvambhari Dham Charitable Trust situated in Rabda village of Valsad Tehsil. It has further been reported that the money given by people is being used for welfare of trustees.

Denying the allegations, complainant submitted that the respondent editors have defamed the Trust by publishing news articles without any basis. He submitted that the respondents have published false and baseless news and defamed trustees also. He requested the Council to ask the respondents to provide material based on which news items were published. He further submitted that after publication of the news articles, the deities are hurt. He has requested the Council to take action against the respondents. He submitted that these editors print only 200-500 copies of newspapers while as per rules minimum 15,000 copies need to be published.

Vide letters dated 25.7.2019 & 29.7.2019, the complainant drew the attention of the respondent editors in this regard but received no response.

Show Cause Notice was issued to the respondent editors vide Council's letter dated 13.11.2019.

Written Statement of Valsad Darpan

Shri Kamlesh Shah, Editor, Valsad Darpan vide Written Statement dated 6.12.2019 submitted that maintenance work in the temple was carried out but no approval was taken from Gram Panchayat. A complaint to the local administration was also filed in this regard. The person who executed the construction work informed the Charity Commissioner that a total of Rs. 9,45,00,000 (Nine Crore Forty five Lakh) is the expenditure. He has further submitted that as per Charity Commission, the land purchased by any Trust should be in the name of Trust only while in this case the land is registered in the name of the trustees. He submitted that based on such complaints, the news article was published.

Written Statement of Dakshin Gujarat Vartman

Shri Punyapal Shah, Editor, Dakshin Gujarat Vartman vide Written Statement dated 5.12.2019 submitted that the news article has been published based on the facts. He submitted that Shri Vitthalbhai, Chief Director of the Trust carries a bad history. Lots of complaints have been registered against him. The Chief Director of the Trust is indulged in many illegal activities such as extortion, illegal construction etc. The respondent further submitted that the Chief Director got the Trust registered in the name of Vishvambhari Dham and his family members are members of this trust. Further, investigation shows that the Chief Director is professional in the work of illegal construction.

Written Statement of World Times

Shri Muhammad Sultan Fakir Shekh, editor of the World Times vide Written Statement dated 9.12.2019 submitted that Shri Vithalbhai Nagjibhai Kakariya alias Mahapatra ji got registered a Trust namely Maa Vishvambhari Dham and constructed a temple with the public money. In Order to earn more money, he broadcast about it in a different manner. He further submitted that Shri Nagjibhai in his book i.e. "घर एक मंदिर" has written that saints of other Hindu Community are terrorists. When group of saint community went to have a discussion with Shri Nagjibhai, they were attacked his followers and a complaint was registered in Rajkot Police Station under Sections 323, 504, 506(2), and 114 of IPC. He has further submitted that Shri Nagjibhai has bought approximately 67 Bigha land in his and son's name and their name has been registered with the government as owner while as per Charity Commissioner department such deals should be in the name of Trust. He submitted that public money is being used for purchasing personal land. Further,

the news has been published based on the government records of Rabda, Valsad. He has requested the Council to dismiss the complaint.

Written Statement of Prajanad

The respondent- Prajanad vide Written Statement dated 1.1.2020 submitted that one Shri Virender Chawda, Rajkot had sent the information regarding Vishvambhari Dham Trust and the same was published in the newspaper. Thereafter, he again sent further information four times but the same was not published as later they came to know that information forwarded by Shri Virender were completely wrong. The respondent submitted that they had never visited the Trust therefore did not have any idea about it. The respondent further submitted that after gathering information they came to know that the Trust is doing good work for the society which is appreciable. He submitted that they have published a corrigendum on 23.12.2019 in this regard.

Counter Comments

The complainant vide Counter Comments dated 22.1.2020 submitted that as the editor of Prajanad has accepted his fault while others should also accept their fault regarding publication in the newspapers. He further submitted that based on complaints filed by one Shri Virender before Government Departments, publishing news by the editors of the newspapers is a irresponsible act. He submitted that the Government Departments have closed all the complaints being those to be false. Further, No temple has been constructed by the Trust then how the land of crores of rupees could be purchased by the Trust. He has submitted that no "Yagya" was performed by the Trust therefore collecting Rs. 51 Lakh in the name of Yagya is completely wrong. He has submitted that no substantial evidences to prove claims have been given by the newspapers. He has requested the Council to take action against the respondent newspaper.

The complainant, Maa Vishambhari Dham Charitable Trust vide its further communication dated 19.2.2021 submitted that the respondent newspaper, Prajanad, weekly has accepted that they had published wrong news on 8.7.2019. The news was based on the information provided by one S hri Virender Chawda, Rajkot, Gujarat. Later, they came to know that the information provided by him was false and baseless. The complainant submitted that the newspaper has published corrigendum on 1.1.2020 stating that the trust does society work which is appreciable. The newspaper has further published that the construction by the trust has been done as per rules.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. Shri Kiritkumar Babulal Dedania and Shri Ashish Vitthalbhai Kakadiya, representatives along with Shri Devendra Pratap Upadhyay and Shri Rahat Ali Chaudhary, Advocates appeared on behalf of the complainant. Shri Pratap Thakur, Prajanad weekly; Shri Shah Kamlesh Shobhalal , Valsad Darpan Weekly; Shri Mohd. Sultan , World Times Weekly; and Shri Punyapal Ashok Kumar Shah, Editor, Dakshin Gujarat Vartman represented the respondent newspapers.

The complainant is represented by Mr. Devendra Pratap Upadhyay. He states that the grievance against the respondent newspaper "Prajanad" has been remedied and, therefore, he does not press this complaint against the said newspaper.

The Inquiry Committee has heard the complainant's counsel as also the respondents. In the facts and circumstances of the case, the Inquiry Committee

directs the complainant to furnish its version to the respondents within two weeks. The complainant doing so, the respondent shall publish the complainant's version after necessary editing within two weeks thereafter.

With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint. A copy of the version published by the respondents shall be sent to the Council within one week thereafter.

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. 44-45

F.No. 236-237/2020-A.

Complainant

Shri Anil Kumar Mishra,
Bureau Incharge,
Jansandesh Times,
Prayagraj (U.P.).

Respondent

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

The Editor,
Dainik Aaj,
Prayagraj (U.P.)

Adjudication dated 27.05.2021

This complaint dated 10.4.2020 was filed by Shri Anil Kumar Mishra, Bureau Incharge, Jansandesh Times, Prayagraj (U.P.) against (i) Dainik Jagran and (ii) Dainik Aaj for allegedly publishing one-sided and defamatory news items in the issues dated 15.3.2020 under the captions “13 लोगों के खिलाफ डकैती का मुकद्दमा दर्ज” and “बंदूक की नोक पर महिला से छेड़छाड़, दुकान में की डकैती” respectively.

It was reported in the impugned news items that the resident of Raghunath Mohalla, Smt. Urmila Singh has alleged that Shri Anil Mishra and others came with weapons and broke the lock of her shop and took away goods worth Rs.7 lakhs. She was also threatened to kill by the attackers. A complaint was made to the police in this regard but no action was taken. On the court's order, the police registered a case of robbery and eve teasing against Shri Anil Sharma and others.

The complainant submitted that the FIR lodged in Police Station Naini on 7.3.2020 on the direction of the Court but the respondent newspapers published the impugned news items after a week, which is not logical. The complainant alleged that due to publication of impugned news items his image has been tremendously damaged. The complainant further submitted that in relation to the FIR which was filed on the false and baseless facts, he clarified the same along with evidence to the Correspondent of Dainik Jagran, Shri Narendra Srivastava and correspondent of Dainik Aaj, Shri Mithilesh Tripathi on WhatsApp on 14.3.2020 but despite that the respondent published one-sided impugned news items. The complainant also submitted that no pre-publication verification has been done by the respondent newspapers.

Show-cause Notices dated 10.6.2020 were issued to the respondent Editors, Dainik Jagran and Dainik Aaj.

Written Statement of Dainik Aaj

Shri Jitendra Kumar Singh, Regional Editor, Dainik Aaj, Prayagraj vide written statement dated 1.7.2020 while denying the allegations levelled by the complainant submitted that the impugned news item was totally based on the FIR filed against the complainant on the direction of the Court. The respondent submitted that the FIR was lodged on 7.3.2020 but he received copy of the same on 14.3.2020

and thereafter he published the news. The respondent further submitted that the complainant contacted him over phone and he was informed that the news was published on the basis of the FIR and whenever he will be acquitted, the same will also be published in the newspaper.

Counter Comments

The complainant vide counter comments dated 5.8.2020 has submitted that the reply filed by the respondent-Dainik Aaj is far from truth. He further submitted that the respondent-Dainik Jagran has not filed reply, which clearly shows that it has no regret for publishing the fake news.

Written Statement of from Dainik Jagran

The Editor, Dainik Jagran vide written statement dated 20.2.2021 while denying the allegation submitted that the impugned news item was based on the FIR dated 7.3.2021 and the contents of the news item were correct and in conformity with the FIR. The respondent further submitted that due to Holi holidays, the news could not be verified immediately, however, as soon as same was verified it was published in the newspaper. The respondent stated that he has no enmity with the complainant and the impugned news item was published in public interest.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 23.2.2021 at New Delhi. While there was no appearance on behalf of the complainant, Shri Kapil Yadav, Legal Officer and Ms. Poonam Atey, Advocate appeared on behalf of Dainik Jagran and Shri Anurag Singh, Advocate appeared on behalf of Aaj.

Despite service of notice, the complainant has not chosen to appear. Complainant is aggrieved by the news items published in the respondent newspapers, Dainik Jagran and Aaj. It is the grievance of the complainant that the news was published seven days after the lodging of the FIR. The complainant does not deny that the news item is based on the basis of the FIR lodged against him. The grievance of the complainant that it ought not to have been published 7 days after lodging of the FIR is misconceived. The respondent newspapers before publication have to verify the same.

The Inquiry Committee does not find any substance in the grievance of the complainant and accordingly recommends for dismissal of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dismiss the complaint.

Press Council of India

S. No. 46

F.No.14/222/19-20-PCI.

Complainant

Shri Haji Abrar Hussain,
Agra,
(U.P.)

Respondent

The Editor,
Agra Bharat,
Agra (U.P.)

Adjudication dated 27.05.2021

This complaint dated 16.7.2019 has been filed by Shri Haji Abrar Hussain, Agra (U.P.) against the Editor, Agra Bharat, Agra for allegedly indulging in blackmailing practice in the garb of journalism.

According to the complainant, he is a social activist and District President of Indian National Congress and also Secretary of Management Committee of Karbala No.70 Cemetery duly recognised by the U.P. Sunni Central Waqf Board, Lucknow. The complainant has informed that the respondent newspaper "Agra Bharat" is being published by Owner and Publisher, Shri Dharmendra Singh and its Chief Editor is Smt. Rita Singh. The complainant has alleged that Shri Dharmendra Singh and his Reporter, Shri M.D. Khan deliberately publish false and fabricated news against reputed persons and blackmail people through his newspaper and even through WhatsApp and Facebook. The complainant has further alleged that the respondent newspaper does not have printing press in Agra and they publish only 40-50 copies for getting government advertisements. According to the complainant, the respondent also falsely published some previous orders passed by the Hon'ble Court of Agra pertaining to the complainant with an intention to harass, defame and blackmail him, which is a contempt of Court. The complainant has produced copies of the news items, which read as follows:-

<u>S.No.</u>	<u>Caption</u>	<u>Date</u>
1	वक्फ जमीन की कमाई पर चौकीदार डाल रहे डाका -अबरार अहमद पर महिला ने लगाया दो लाख रुपये लेने का आरोप - वक्फ से होने वाली इनकम पर मुतवल्ली और आईकमान कर रहे मौज	25.6.2019
2	दरगाह के गेट निर्माण पर थी कथित मुतवल्ली की आपत्ति	15.7.2019
3	कथित मुतवल्ली पर नहीं कसा गया शिकंजा	Date not mentioned

It has been reported in the news item dated 25.6.2019 that the organizers/caretakers of the Waqf Committee are illegally occupying lands of the Waqf and the income, which should have been given in charity, they are sharing it amongst themselves. It has been further reported that a woman has accused Shri Abrar Hussain of taking two lakh rupees.

It has been reported in the news item dated 15.7.2019 that the Dargah Committee and the local people took the initiative to construct a grand gate on the Mosque. The consent was also given by the administration. But an organiser/caretaker from Wazirpura did not allow the construction of the gate with the connivance of the police and the accountant.

It has been reported in the third news item that construction of a commercial complex is underway on the land of Waqf in New Agra. An organizer/caretaker of Waqf is constructing building illegally by misleading the administrative officials. This organizer/caretaker earned crores of rupees with the help of police and accountant. Many times complaints were made to the police against him but no action was taken. The local people have now complained to the City Magistrate. It has been further reported that this organizer/caretaker demanded Rs.3 lakhs from a lady and on refusal he started threatening to kill her. He has requested the Council to enquire into the matter and also cancel the registration of the respondent newspaper.

Notice for Comments was issued to the respondent-Editor, Agra Bharat, Agra on 11.12.2019.

Comments

Shri Dharmendra Singh, Publisher/Printer/Editor, Agra Bharat, Agra vide his comments dated 24.12.2019 while denying the allegation of blackmailing has stated that the complaint is false and baseless. According to the respondent, the Congress Committee in Agra has already been disbanded and the complainant is not the President of it. The respondent has submitted that no personal news has been published against the complainant. The respondent has further submitted that the impugned news items regarding illegal encroachment on cemetery and illegally selling the land were published earlier with a view to draw the attention of the administration and readers. The respondent has further stated that the complainant is a criminal in nature and many cases are registered against him. According to the respondent, his reporter-Shri M.D. Khan is a responsible reporter and no complaint has been received against him and the editor. The respondent has further stated that if the complainant produces evidence in support of his allegation, he will prominently publish the same in his newspaper. He has requested the Council to dismiss the complaint.

Counter Comments

The complainant vide his undated counter comments, received in the Secretariat on 02.03.2020, while reiterating his complaint has stated that the reply filed by the respondent is false and baseless. The complainant has further stated that the respondent has not referred the issue related to circulation of his newspaper, which is clear violation of Income Tax Act. The complainant has also stated that the respondent is continuously publishing false news against him deliberately with a view to blackmail him.

Further communication from the complainant

Shri Haji Abrar Hussain, complainant vide communication dated 24.2.2021 while reiterating the complaint submitted that the respondent editor in his newspaper has described him as Land- Mafia. He further submitted that Mr. Dharmendra Malik, reporter and Mr. M.D. Khan in the grab of journalism are intentionally plotting conspiracy for taking illegal possession on Waqf land. He

submitted that the owner of the newspaper appointed one Mr. Kamil as reporter who is indulged into encroachment activities. He has requested the Council to take action in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. The complainant along with Mr. Arvind Kumar, Advocate appeared in person. Shri Deepak Sharma, Reporter represented the respondent editor, Agra Bharat.

When the matter was taken up on inquiry Mr. Arvind kumar has stated that he is Haji Abrar Hussain. However, later on it was found that he is not Haji Abrar Hussain because another person claiming to be Haji Abrar Hussain is present.

During the course of hearing, it was further stated that the complainant possesses audio recording of the conversation which the complainant had with the reporter, Mr. M.D Khan. He was given time to produce that. He is unable to produce that before the Inquiry Committee. Further, being asked as to the time when he is likely to produce the recording, the complainant is not in a position to commit any time. The Inquiry Committee has heard the complainant, the respondent and perused the papers and finds no 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.47-48

F.No.14/344-345/19-20-PCI.

Complainant

Shri Rajeev Ranjan Kumar Mishra,
Zilla Basic Shiksha Adhikari,
Bagpat (U.P.).

Respondent

The Editor,
Dainik Hindustan,
Bagpat (U.P.).

The Editor,
Amar Ujala,
Bagpat (U.P.).

Adjudication dated 27.05.2021

This complaint dated 22.9.2019 has been filed by Shri Rajeev Ranjan Kumar Mishra, Zilla Basic Shiksha Adhikari, Bagpat (U.P.) against the Editors, Dainik Hindustan and Amar Ujala for allegedly publishing defamatory news items under the captions “निलंबित अध्यापिका ने बीएसए पर लगाए आरोप” and “बीएसए पर लगाए गंभीर आरोप” in their respective issues dated 22.9.2020.

It has been reported in the impugned news item published in Hindustan that the matter of alleged misbehaviour/inappropriate perpetrated on a class three student in a primary school in Ramala has taken a new turn as the suspended lady teacher in this case has lodged a complaint on the IGRS Portal accusing the Zilla Basic Shiksha Adhikari for demanding bribe of Rs.5 lakhs. The investigation has been handed over to the Chief Development Officer (CDO) at the level of Nodal Officer. It has been further reported that in this case, the Zilla Basic Shiksha Adhikari had suspended the lady teacher and another teacher, considering them prima facie guilty. The suspended lady teacher alleged that the officer had demanded lakhs of rupees and also pressurised her for unethical acts before she was suspended. The teacher further stated that the Zilla Basic Shiksha Adhikari suspended her for not fulfilling his demands. On the other hand, Zilla Basic Shiksha Adhikari said on the allegations of the lady teacher that the allegations made by the teacher are completely baseless. He further said that based on the police report and the statement of the victim student, the teachers have been suspended and the report has been sent to the District Magistrate.

It has been reported in the impugned news item published in Amar Ujala that in the matter of alleged inappropriate/maltreatment perpetrated on a class three student by a class five student in a primary school in Ramala, the suspended lady Assistant Teacher has now submitted a prayer application to the District Magistrate levelling serious allegations against the Zilla Basic Shiksha Adhikari that she has been suspended by him for not paying a bribe of Rs.5 lakhs. The Assistant Teacher said that as she belongs to scheduled caste community no action has been taken in the matter. She has further said that Shri Ravjeev Ranjan Mishra used castiest remarks against her and demanded Rs.5 lakhs from her and on refusal he suspended her and even threatened to terminate her services. It has been further reported that the Zilla Basic Shiksha Adhikari, Shri Rajeev Ranjan Mishra said that the teacher is

levelling false allegations on him. He further said that the Assistant Teacher kept the incident hidden. Her negligence was revealed during the investigation, due to which she was suspended.

The complainant has submitted that on 21.9.2019 before publishing the news, he had spoken to Shri Nishant of Dainik Hindustan and Shri Surendra Kumar of Amar Ujala over mobile and requested them to publish the news only after its confirmation. The complainant has further stated that the respondent did not even disclose source of information of the impugned news items. The complainant has also submitted that the respondents have published his erroneous statement in the impugned news items. The complainant has alleged that the respondents have tried to damage his as well as the department's image. The complainant has submitted that the other newspapers i.e. Dainik Jagran and Janvani published impartial news after conversation over mobile.

The complainant has submitted that he has issued letters dated 22.9.2019 to the respondents but they refused to receive the same.

Show-cause Notices dated 2.1.2020 were issued to the Editors of Dainik Hindustan, Bagpat and Amar Ujala, Bagpat followed by Times Bound Reminders dated 11.2.2020.

Written Statement of Amar Ujala

The Counsel for the Amar Ujala vide written statement dated 11.3.2020 while denying the allegation has submitted that the impugned news item was based on a complaint filed by Ms. Madhu on 16.9.2019 to the District Magistrate, Bagpat. The respondent has further submitted that the statement and version of the complainant was also published in the same news item and concerned follow up news was further published on 23.9.2019 and 24.9.2019 with different headings and the statements and version of the complainant was also published on both days in the newspaper. The respondent has also submitted that Amar Ujala has not made any comments or personal observation on the incident. Further, there is nothing stated or mentioned in the impugned news item particularly against the complainant. The respondent has stated that the news item was a general news and published within the journalistic norms and ethics, in good faith on the basis of the contents of the complaint. The respondent has further stated that the impugned news item was substantially true, based on facts and nothing defamatory in nature as alleged. The respondent has stated that he has no personal grudge or vendetta against anyone including the complainant. He has requested the Council to dismiss the complaint.

Written Statement from Hindustan

The respondent- Hindustan vide Written Statement dated 10.2.2021 while denying the allegation has submitted that the complaint is totally baseless and frivolous and the complainant has malafidely and intentionally targeted the concerned reporter. The respondent has further submitted that the version of the complainant was also published in Column 3 of the article. The respondent has also submitted that after receiving the notice, the comments of the reporter were also obtained, who in his comments has stated that the news item was based on the

complaint filed by the suspended teacher. 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 23.2.2021 at New Delhi.

Despite service of notice, the complainant has not chosen to appear. On the earlier occasion also he has not appeared. Respondents have filed their written statement. The Inquiry Committee has perused the complaint, the written statement and as also heard Mr. Vivek for respondent, Amar Ujala and Mr. Govind, Dy. General Counsel; Mr. Arun Pathak, Authorized representative of Dainik Hindustan. The Inquiry Committee is of the opinion that the respondent newspapers had basis for publication of impugned news items. The Inquiry Committee is of the opinion that the respondent newspapers while publishing the impugned news 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.49-50

F.No.93-94/Suo-Motu/2020-A.

Suo-motu cognizance with regard to publication of obscene and vulgar news items by (1) Ahmedabad Mirror and (ii) Navbharat Times.

Adjudication dated 27.05.2021

The Press Council of India has come across the obscene and vulgar news items published by (i) Ahmedabad Mirror and (ii) Navbharat Times under the captions “If menstruating women cook, they will be born as kutri (bitch) in next life” and “स्वामी बोले, पीरियड्स में खाना बनाने पर कुत्ते का जन्म मिलेगा” respectively in its issues dated 19.2.2020.

It has been reported in the impugned news items that a religious leader from Gujarat has said that menstruating women who cook food for their husbands will be reborn as dogs, while men consuming food prepared by women having periods will be bullocks in their next life. It has been further reported that Swami Krushnaswarup Das ji, who made these remarks, is associated with the Swaminarayan Temple which runs the college in Bhuj whose principal and female staff had allegedly forced more than 60 girls to remove their undergarments to check if they were menstruating.

The respondents violated the Norm 28 (I, V, VII) “Obscenity and Vulgarity to be Eschewed” of Norms of Journalistic Conduct Edition-2019 framed by the Press Council of India.

While taking suo-motu cognizance of the matter, Show-Cause Notices dated 26.2.2020 followed by reminder dated 26.10.2020 were issued to the Editor, Ahmedabad Mirror, Ahmedabad, Gujarat and the Editor, Navbharat Times.

Reply filed by Ahmedabad Mirror

Shri Akash Nagar, Advocate for respondent editor, Ahmedabad Mirror vide written statement dated 11.2.2021 submitted that the impugned news was carried on the basis of the feed received from Press Trust of India and his client deemed it fit to carry to highlight the irrelevant/illogical statement of Swami Krushnaswarup Das ji. It is also important to mention that his client’s newspaper by this news has highlighted the inhuman treatment done to the inmates of the hostel and how girls were physically searched on this issue. He further submitted that this news cannot be from any angle called obscene or in violation of the Journalistic ethics or any of the society standards. Misinformation or a lack of information around menstruation leads to misconceptions and discrimination which hinders girls from treating it as the normal part of their childhood as it should be. He submitted that the publication of the said news was well appreciated by the society and as a result of the publication of the said news article an event titled “Period Feast” or “Mahavari Bhoj” for more than 500 people was organized by a Delhi- based NGO.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. Shri Akash Nagar, Advocate represented Ahmedabad Mirror and Navbharat Times. Smt. Shweta Kapoor , Sr. Manager Legal appeared on behalf of the Press Trust of India/Bhasha.

The Council took Suo-Motu cognizance when it came to its notice about two publications in the respondent newspaper, Ahmedabad Mirror and Navbharat Times. Respondents have filed their reply.

The impugned news item pertains to certain statement given by a Swami.

Although the Inquiry Committee does not approve the philosophy propounded by the Swami but at the same time would like to observe that the respondent newspapers have not violated any Norms of Journalistic Conduct while publishing the said news. The Inquiry Committee accordingly, recommends for dropping the proceedings

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceedings.

Press Council of India

S. No. 51

F. No. 14/583/18-19-PCI

Complainant

Shri Shamsheer Singh,
House No. 1,
Jammu Colony,
Yamuna Nagar

Respondent

The Editor
Dainik Bhaskar
Press Complex
MP Nagar, Zone -1
Bhopal.

Adjudication dated 27.05.2021

This complaint dated 21.01.2019 has been filed by Shri Shamsheer Singh Janmuna Colony, Yamuna Nagar against the Editor, Dainik Bhaskar for allegedly publishing an unauthenticated and defamatory news item captioned “कोर्ट से बेल ले झूठे शपथ पत्र पर पासपोर्ट बनवा चला गया ऑस्ट्रेलिया, उसकी जगह दूसरा युवक पेशी पर जाता रहा, केस दर्ज” in its issue dated 03.12.2018.

As per English translation provided by the complainant, it has been reported in the impugned news item that a youth accused in a case of injury under Section 326 IPC, after being bailed out by the Court, obtained a passport on false affidavit and went to Australia. Meanwhile, some other youth kept appearing on his behalf before the Court on the dates mentioned by the Court. Now, after 7 years facts have been disclosed in the matter. This act of fraud was carried out by Shri Satinder Pal from Jammu Colony. Shri Subhas Chand, SHO, P.S. Farakpur has stated that a case under section 120 of IPC has been lodged against the accused.

Further, the news item under the subheading “2001 में पासपोर्ट के लिए आवेदन”, reports that Shri Dharampal, a resident of Model Town had filed a complaint that in 2000 a resident of Workshop Road was assaulted by some persons. In the matter, the police had lodged FIR u/s 326 IPC against Shri Satinder Pal and five others. After being in judicial custody for four months, Shri Satinder Pal got released on bail. In 2001, he applied for passport from the Chandigarh Passport Office. Without any inquiry, the police gave verification report. Mr Satinder Pal also managed to obtain a visa and left for Australia. Meanwhile, he was being present before the Court by some other youth. Mr Dharam Pal also levelled allegations against the Police Officials for connivance in issuing false verification report. Mr Dharam Pal discovered in 2014 that irrespective of a pending case against Shri Satinder Pal in the Court, he has relocated himself in Australia. Mr. Satinder even got acquitted in the matter when he was not even physically present in the matter before the Court. He lodged a complaint in November 2017 against this fraudulent activity of Shri Satinder Pal.

The Complainant is the father of Shri Satinder Pal, regarding whom the alleged unauthenticated news item has been published by the respondent newspaper. The alleged impugned news item reports that Shri Satinder Pal remained behind the bars for four months in a case lodged against him at Farakpur P.S. under Section 326

IPC. The news item pertaining to Shri Satinder Pal having been behind the bars for four months is absolutely false and unverified fact, which has caused immense damage to the reputation of the complainant and his family.

The complainant further submitted that he had attempted to contact Sh. Kulbhushan, Press Correspondent and the reporter of the alleged impugned news item, but the correspondent refused to explain as to why without any legal proof the false report was published, even a legal notice dated 10.12.2018 was issued to the press correspondent for publishing a corrigendum against the alleged impugned news item. Followed by a reminder, but the press correspondent did not regret and respond. Thereafter, a letter dated 26.2.2019 was issued to the Editor of respondent newspaper inviting attention to take punitive action against the press correspondent for misusing press freedom.

The complainant requested the Council to take action in the matter for misusing press freedom by the respondent.

A Show Cause Notice dated 8.04.2019 was issued to the respondent newspaper

Written Statement

Shri Sachin Gupta, Authorized Representative, Dainik Bhaskar Corp. Limited, vide reply dated 17.2.2021 submitted that after having been in custody for four months, Shri Satinder Pal was granted bail by the Court after which Satinder Pal got a passport issued for himself on the basis of a false affidavit and thereafter left for Australia. He submitted that the news was published based on an affidavit filed by Deputy Superintendent of Police, Jagadhir, Yamunanagar, on behalf of the State of Haryana before the Hon'ble High Court of Punjab and Haryana. He submitted that the complaint is baseless and without merit. 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 24.2.2021 at New Delhi. The complainant has not chosen to appear. Smt. Shagun Chopra, Advocate represented the respondent newspaper, Dainik Bhaskar.

The complainant is aggrieved by portion of the impugned news item in which it has been stated that Satinder Pal Singh had been behind the bars for four months. According to the complainant this is absolutely false. The respondent has filed its reply in which it has been stated that in an affidavit filed by the State of Haryana in a case before the Hon'ble High Court of Punjab and Haryana it has clearly been stated that after the registration of the case on 11th of August 2000 Satinder Pal was arrested and released on bail on 05th December, 2000.

The complainant has filed an application showing his inability to appear before the Inquiry Committee on the ground of his age and ill health and prayed for taking action against the erring persons. The respondent is represented by Ms. Shagun Chopra. The Inquiry Committee has perused complaint, the Written Statement and all connected papers and is of the opinion that the respondent newspaper had the basis for publication of impugned news and while doing so they

have not violated the 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. 52-53

F. No. 14/342-343/19-20-PCI

Complainant

Shri Satnam Singh Soni,
S/o Shri Kuldeep Soni,
R/o Village Rohno Kalan,
Tehsil – Khanna, Dist.- Ludhiana

Respondent

The Editor,
Jagbani

The Editor,
Punjab Kesari

Adjudication dated 27.05.2021

This complaint dated 10.9.2019 has been filed by Shri Satnam Singh Soni, Ludhiana against the Editors, Jagbani and Punjab Kesari for publication of false and defamatory news items in its issues dated 5.9.2019 and 6.9.2019 with the caption, '**Block samiti de chairman soni Rohno di gadi da kateya challan**' and '**block samiti ke Chairman Soni Rohno ki Gadi ka kata challan**' respectively.

It is reported in the news item published by the respondent newspaper, Jagbani that the SHO, City Khanna 2, Shri Vinod Kumar has conducted a special campaign at Education Hub, G.T.B. Market and Guru Amardas Market and challaned the vehicles for violating the traffic rules. It is further reported in the matter that the newly appointed Chairman of Block Samiti of Khanna tehsil, Shri Satnam Singh Soni Rohno's vehicle, Inova car has also been challaned for being wrongly parked. It is also been mentioned in the impugned news item, that the act of the SHO concerned has been praised by other unions of the tehsil Khanna, and these unions requested the SSP, Khanna to encourage these kind of officers, who believe in implementing the law and order appropriately.

It has further been reported in the story that as per reliable resources threats were received from some Congress leaders for transfer of the officer concerned who penalized the complainant. This action was deprecated by the unions and other institutes. The officers of the unions of the state commented on this news and offered their support for the honest and daring officer. The newspaper also published that SHO, Shri Vinod Kumar has stated that the campaign was mounted for implementation of traffic rules in the city and the instructions of the SSP, Shri Gursharandeep Singh were complied by, and in future also the violators of the traffic rules would not be spared.

In another news item published in Punjab Kesari, it is has been reported that the news was flaring about transfer of officer who penalized the Chairman of Block Samiti of Khanna tehsil, Shri Satnam Singh Soni Rohno for wrong parking of his vehicle. It has further mentioned in the news article that due to challaning the vehicle of the complainant, news pertaining to transfer of the SHO concerned was trending at the social platform. In connection to this news, the distinguished organizations have raised their voice that they are in support of the officer concerned. It has also been reported by the Punjab Kesari that, the organisations decided for felicitation of SHO concerned and offered their support to him.

It has further reported by the Punjab Kesari that Shiv Sena, Punjab criticizes the act of that the misbehavior done by Mr. Soni with the SHO. The National Promoter, Shiv Sena, Punjab, Mahant Shri Kashmir Giri ji Maharaj praised the SHO's act. He also praised the SHO's campaign against the intoxication is appreciable; Also Mahant Shri has sought felicitation of such officers for their responsible behavior towards their duties, and announced that Shiv Sena very soon, felicitate Shri Vinod Kumar, SHO.

Punjab Kesari in its series of this news report further published that the Akali Dal's Incharge has stated that Law and order is not being maintained in tehsil Khanna, as the district is dominated by leaders of Congress party and the law savior police officer has been threatened there. Support to the officer concerned has been offered by the Bahujan Samaj Party also, and they also stated that if any action is initiated against him, the party will stand by him. In continuation of these statements of different organisations, RSP's Secretary also commented in the matter with same views.

The complainant has stated that he is a peace loving and law abiding citizen of India, he carries post of Chairman of Block Samiti, Block Khanna and also is the president of Youth Congress Vidhan Sabha Khanna, he remained the member of Panchayat of his village for two terms and belongs to a reputed family.

He has further stated just to defame him a group of few media persons viz. Mr. Kamaljit Singh Kamal, press reporter, Punjab Kesari and Jagbani, Mr. Vijay Kumar Chopra, Mr. Varidner Talwar, Incharge of Punjab Kesari, Jalandhar in collusion and consultation published news items, as elaborated above. He has also stated that above named persons are responsible for the said matter.

He drew the attention of the respondent editor/s and requested to publish the written apology in the newspaper against the news items in question, but received no response.

Vide Council's letter dated 21.04.2020, the respondent editors were issued with Show Cause Notice.

Written Statement

In his written statement dated 30.06.2020, the respondent editor, Punjab Kesari informed the Council that the matter is pending before court of law and is not eligible to be heard before the Council. They have informed the Council that the matter viz. 'Satnam Singh Vs. Kamaljit Singh Etc., is pending before Court of Civil Judge Senior Division, Taluka Court, Khanna, District Ludhiana and the PCI cannot deal with the matter being sub-judice.

Comments of the Complainant

In response to the letter forwarding written statement received from the complainant, vide his undated reply, the complainant stated that the matter which is pending before court of law is the different one. He sought justice from the Council.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. The complainant appears in person and Shri Madan Mohan Thapar,

Section Head represents the respondents. It is common ground that the subject matter of this inquiry is pending before a Court of competent jurisdiction at the instance of the complainant. He had filed a suit for damages.

As the matter is sub-judice, the Inquiry Committee is not inclined to proceed in the matter any further and, accordingly, recommends for disposal of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and disposes of the complaint.

Press Council of India

S. No.54-56

File no. 14/371-372 &399/19-20

Complainant

Shri Jameel Chauhan alias Ballu,
Meerut,
Uttar Pradesh

Respondent

The Editor,
Dainik Jagran,
Meerut Uttar Pradesh

The Editor,
Hindustan,
Meerut, Uttar Pradesh

The Editor,
Amar Ujala,
Meerut , Uttar Pradesh.

Adjudication dated 27.05.2021

This complaint dated 4.10.2019 has been filed by Shri Jameel Chauhan alias Ballu, Meerut, Uttar Pradesh against the newspapers namely Dainik Jagran, Hindustan and Amar Ujala allegedly for publication of false and baseless newspapers under the following captions:

S. No.	Caption	Date
1	लिसाड़ीगेट में गैंगवार चीन् को गोलियो से भूना (Dainik Jagran)	30.9.2019
2	ऐलानीया कत्ल: बीच सड़क पर युवक को गोलियो से भूना (Hindustan)	30.9.2019
3	लिसाड़ीगेट में युवक का एलानिया कत्ल (Amar Ujala)	30.9.2019

It has been reported in the the Dainik Jagran newspaper that Mr. Cheenu alias Hasin Ahmad has been shot dead by half dozen people in Lisadigate area. It has further been reported that Mr. Cheenu (Brother of complainant) had connection with one Mr. Jubair who was notorious person and was shot dead in an encounter. It is reported that the family of Mr. Jubair was under impression that Mr. Cheenu was informant for the Police and therefore in order to take revenge the brother of Mr. Jubair along with his relatives called Mr. Cheenu and shot him dead.

It has been reported in the Hindustan that Mr. Cheenu(deceased) along with Shadab (brother of Jubair) and others made a robbery in Gujarat . They had an argument over the distribution of money which led to personal enmity among them. Further, It is being discussed that Mr. Cheenu got Jubair dead in an encounter as he did not give him robbery money.

It has been reported in Amar Ujala that Mr. Cheenu was shot dead by Mr. Shadab along with his accomplice in enmity as Mr. Cheenu was informer of police in Jubair's encounter.

Denying the allegations, the complainant submitted that the claim of the newspapers that his brother, Mr. Cheenu along with his accomplice had done a robbery in Gujarat is completely wrong. He has submitted that there is no case registered against the deceased, Mr. Cheenu in Gujarat. The publication in the newspapers that Mr. Cheenu was informer of Police is also completely wrong. Further, it has wrongly been published that there was an enmity between Mr. Cheenu and Mr. Shadab for distribution of money. The complainant submitted that the news has been published to give benefit to murderers of Mr. Cheenu.

Vide another letter dated 10.7.2020, the complainant submitted that the editors of all three newspapers have started forcing him to withdraw the complaint filed before the Press Council of India. He submitted that when he denied their request, the editors in connivance with local Police forced him to withdraw the complaint. He has requested the Council to take strict action against the respondent editors.

The Complainant vide letters dated 3.10.2019 and 24.10.2019 drew the attention of the respondent editors, however no response was received.

Show Cause Notice was issued to the respondent editors on 29.2.2020.

Written Statement of Dainik Jagran

The Editor of the Dainik Jagran vide Written Statement dated 19.12.2020, submitted that the news item was based on the information given by the C.O. of Police Station where the brother of the deceased i.e. Mr. Waseem Chouhan/Ballu gave written complaint. He has further stated that brother of the deceased himself stated that his family members suspected that deceased passed on secret information to the Police about Jubair, who was killed by the police. This is why Mr. Cheenu (deceased) was killed by Mr. Shadab.

The allegation that the news item was published for defaming the deceased, Mr. Cheenu is baseless as Police stated the various angles of the incident. One of the reasons/angles was the distribution of looted money of the Trader from Maharashtra. Moreover, the reporter was present in the Police Station, when the family members of the deceased gheraoed the Police Station and raised the slogans "Khun ka badla Khoon". Therefore, the allegation that the news has been published to benefit the murderer of the Cheenu is baseless.

No reply has been received from Hindustan and Amar Ujala. The Amar Ujala, however, vide email dated 26.11.2020 had sought a copy of complaint to file the reply. No response has been received so far.

Communication received from the complainant

The complainant vide an undated letter received in the Council on 25.1.2021 while referring the complaint filed against Amar Ujala submitted that he was suggested by some people that wrong facts have been published in the newspaper, Amar Ujala. Later, he realized that he has not faced defamation because of this publication. He has submitted that he wants to withdraw the complaint filed against Amar Ujala.

Affidavit filed by the complainant

The complainant, Shri Jameel Chauhan vide affidavit dated 16.2.2021 submitted that a news was published against his deceased brother, Shri Haseen alias Cheenu in the Hindustan newspaper on 30.9.2019. The complainant submitted that he had a

verbal discussion with the concerned reporter of Hindustan and it appeared that the news was not published intentionally but was published on the basis of wrong information. Therefore, he wants to withdraw the complaint and no complaint related to this matter will be filed by him.

Communication received from the complainant

Shri Jameel Chauhan, complainant vide another letter dated 17.2.2021 submitted that all three editors are pressurizing him through Police to withdraw the complaint. Police is harassing him mentally. The complainant submitted that the Police on 4.1.2021 summoned him and with the connivance of Amar Ujala forced to get his signature on an agreement prepared in the favour of Amar Ujala. Further, he was threatened to send in the jail. He submitted that if he wants to withdraw the complaint he will appear personally before the Inquiry Committee and withdraw the complaint and further requested the Council not to accept any paper signed by him.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. Shri Jameel Chauhan, complainant along with his advocate appeared in person. Shri Kapil Yadav, Legal officer; Shri B.K. Mishra and Ms. Poonam Atey, Advocates represented the editor, Dainik Jagran. Shri Vivek Singh, Advocate represented Amar Ujala while Shri Arun Pathak, Authorized representative appeared on behalf of Hindustan.

The complainant is aggrieved by the publication of a news item against his brother in respondent newspaper. Respondent Dainik Jagran has filed the reply. The Inquiry Committee has heard the counsel for the complainant and the representatives of the respondent newspapers. The respondent newspapers have disclosed the source of news itself in the impugned news. The Inquiry Committee is of the opinion that the respondents have not violated any Norms of Journalistic Conduct while publishing the news. The Inquiry Committee does not find any merit in the grievance of the complaint 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. 57

File no. 14/317/19-20/PCI

Complainant

Mr. Pankaj Gupta,
Maharashtra

Respondent

The Editor,
The Hindu,
Tamil Nadu.

Adjudication dated 27.05.2021

Mr. Pankaj Gupta, Maharashtra has filed a complaint dated 16.8.2019 against “The Hindu” for allegedly copying his expression of intellectual thought for their commercial interests in print & digital media services.

The complainant submitted that on 7th June 2016 to highlight the plight of the farmers in different parts of the country due to the ongoing drought situation, he had drawn & uploaded his created illustration/Art Work/Cartoon on an online website named Time Passion Cartooning Tribe. This online group consists of more than 1200 cartoonists. It is an initiative of the Times of India group to bring together the entire tribe of cartoonists of India & abroad on one platform. On 19th July, 2019, he had re-shared the same illustration in his online group to tag it again with the much publicized launch of Chandrayaan-2 by ISRO, with same intellectual thought for finding solution for drought on the earth rather than finding water in space with a project cost of Rs. 900 Crore.

The complainant further submitted that he was shocked to find a similar illustration in country’s much sought English newspaper “The Hindu” by their cartoonist Mr. Deepak Harichandan, who used it very next day of successful launch of Chandrayaan -2 by ISRO. The complainant further submitted that by email dated 23.07.2019 & 27.07.2019, he had sought the clarification on the matter from the Hindu. The Editor of the Hindu vide reply dated 31.07.2019 by putting the objections brushed aside called it “only broad similarities” and claimed that the cartoonists has never seen any of his work and the information is made available on the Computer or mobile by the internet by using Google search engine or such similar services in seconds. The complainant submitted that he was not satisfied with the reply filed by the editor. He submitted that the addition of “vulture” by cartoonist, Mr. Deepak Harichandan and very careful & thoughtful plan of lifting his illustration is self-explanatory. He has requested the Council to take action in the matter.

A Show Cause Notice was issued to the respondent Editor and the cartoonist on 13.11.2019.

Reply received from the editor, the Hindu

Shri Suresh Nambath vide Written Statement dated 22.11.2019 submitted that the news item with cartoon published in its issue dated 23.7.2019 was their own work. There is no need to lift the cartoon of the complainant. He has further submitted that there is no infringement of copyright of the complainant and even if there is some broad similarities that did not amount to plagiarism. He further submitted that the complainant holds a narrow outlook and subjective opinion which

has led to him preferring this complaint. He has requested the Council to dismiss the complaint.

Reply received from the cartoonist, Mr. Deepak Harichandan

Mr. Deepak Harichandan, National Design Editor vide Written Statement dated 22.11.2019 submitted that the allegations of the complainant towards published cartoon on “Mission Chandrayaan” are baseless. He further submitted that he reacts to the daily developments that happen in Indian and abroad politically and this said cartoon was the product of his ideation in particular to the Chandrayaan event. He submitted that he had never come across this online group of cartoonists where this complainant has displayed his illustration.

Counter Comments

Mr. Pankaj Gupta, complainant vide Counter Comments dated 26.12.2019 submitted that he had already submitted copy of his Artistic work protected under “Copyright Act of Online Content dated 7.6.2016 to the editor by email dated 23.7.2019. He further submitted that the editor’s claim that the newspaper has built reputation & goodwill is just to put weight on editor’s partly admission that the cartoon had some broad similarities. The complainant submitted that the editor’s claim that there was some broad similarities is itself confessional in nature as he mentioned about the Section 52 of the Copyright Act 1957. He has requested the Council to examine the matter for the entire fraternity of the cartoonist in India to make it a referral in any case.

Further reply from the Editor

Mr. Suresh Nambath, Editor, vide further reply dated 13.1.2020 has submitted that there is no violation or infringement of copyright as claimed by the complainant. He has further submitted that the reporting of current events and current affairs cannot by any stretch of imagination be construed as infringement of copyright given the exceptions under Section 52 of the Copyright Act, 1957. He has requested the Council to dismiss the matter.

Communication received from complainant

Shri Pankaj Gupta, complainant vide communication dated 15.2.2021 submitted that his artistic feelings which emerged from bottom of his heart to a piece of paper in 2016 which was used by the editor Mr. Suresh Nambath mercilessly with his cartoonist for his “political game” in 2019 for his esteemed English daily, The Hindu without giving him due credit. He has further submitted that the respondent has used very derogatory language for him in all his correspondence till date. The complainant further submitted that the word “Oblige” used by the respondent in his letter dated 13.1.2020 is highly objectionable because oblige means “to make indebted by conferring a favor” and perhaps he is afraid of the kind of havoc the investigation at the Press Council of India would create among the elite readers of the country who pay Rs. 10 per copy of “The Hindu” news daily to read the original & high contents has come down to use such pity language.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 24.2.2021 at New Delhi. The complainant, Shri Pankaj Gupta appeared in person. Shri N. Sriram, Branch Executive represented the respondent newspaper, The Hindu.

The Inquiry Committee has heard the complainant as also the representative of the respondent .It is the allegation of the complainant that the cartoon created by him has been copied by the respondent newspaper and published it in its issue dated 23rd July, 2019. Respondent has filed the reply and stated that by publishing the cartoon it had not violated the copy right of the complainant and the broad similarity between the two cartoons do not amount to plagiarism.

The Inquiry Committee has bestowed its consideration to the grievance of the complainant and finds no merit in the same. 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.58

F.No.14/237/19-20-PCI.

Complainant

Shri Omprakash Sharma,
Secretary,
Shri Baba Public Educational
Institute Senior Secondary School,
Gaushala Baas, Sardarshahar,
Churu, Rajasthan.

Respondent

The Editor,
Anuchar,
Churu, Rajasthan.

Adjudication dated 27.05.2021

This complaint dated 17.7.2019 was filed by Shri Omprakash Sharma, Secretary, Shri Baba Public Educational Institute Senior Secondary School, Sardarshahar, District Churu, Rajasthan against the Editor, Anuchar, Churu, Rajasthan for allegedly publishing a series of false, baseless and defamatory news items. The captions and dates of the impugned news items read as follows:

S.No.	Captions	Dates
1	बापू सचिव, बेटा कोषाध्यक्ष विद्यालय की मान्यता ले ली	25.6.2016
2	श्री बाबा पब्लिक सीनियर सै. स्कूल सरदारशहर का कैसा नामांकन अभियान? क्या तीन सौ सित्यानवे से पांच हजार चार सौ एक तक के छात्रों को प्रवेश एक दिनांक में दिया गया वह उचित है? क्या विद्यालय में एक दिनांक को इतने छात्रों का प्रवेश दिया गया है? प्रवेश लेने वाले इतने छात्रों की सूची शिक्षा विभाग देखें व छात्रों के प्रवेश शुल्क के हिसाब की जांच करें? विद्यालय द्वारा दिए गये स्थानांतरण प्रमाण पत्रों की शिक्षा विभाग जांच करवाएगा?	9.1.2017
3	श्री बाबा पब्लिक शिक्षण संस्थान सी.शै. स्कूल गौशाला बाल सरदारशहर व श्री बाबा पब्लिक सी. सै. स्कूल गौशाला बास सरदारशहर दोनों विद्यालय के नामों में भिन्नता होने का तलपट तैयार होगा, तलपट में जांच कमेटी, जमा नाम को योग, मान्यता का मिलान कैसे होगा	25.5.2017
4	अंक तालिका, टीसी की भिन्नता वाले विद्यालय की जांच क्या कह रही है? अंकतालिका व शाला की टी.सी. में लटकता भविष्य! विद्यालय पर कार्यवाही कब होगी?	25.6.2017
5	अंकतालिका, टीसी की भिन्नता वाले विद्यालय की जांच क्या कह रही है? जांच अधिकारियों द्वारा द्वितीय बिन्दु में क्या लिखा गया है पढ़ें? अंकतालिका व शाला की टी.सी. में लटकता छात्रों का भविष्य! विद्यालय पर कार्यवाही कब होगी?	9.7.2017
6	अंकतालिका, टीसी की भिन्नता वाले विद्यालय की जांच क्या कह रही है? जांच अधिकारियों द्वारा तीसरे बिन्दु में क्या लिखा गया है पढ़ें? अंकतालिका व शाला की टी.सी. में लटकता छात्रों का भविष्य! विद्यालय पर कार्यवाही कब होगी?	25.7.2017

7	अंकतालिका व शाला की टी.सी. में लटकता छात्रों का भविष्य!	9.8.2017
8	विद्यालय की कौनसी पत्रावली शिक्षा विभाग को सौंपनी होगी? क्या श्री बाबा पब्लिक शिक्षण संस्थान सी.सै. स्कूल गौशाला बास सरदारशहर की? क्या श्री बाबा पब्लिक सी.सै. स्कूल गौशाला बास सरदारशहर की? क्या श्री बाबा पब्लिक एस.एस.सी. सै. स्कूल गौशाला बास सरदारशहर की?	25.9.2017
9	बुद्धमल दुग्ड रा. महाविद्यालय सरदारशहर, विद्यालय द्वारा दिए अंकतालिका, स्थानांतरण- प्रमाण पत्र के बारे में दिये गए स्पष्टीकरण को कितना उचित मानता है? राजस्थान उच्च शिक्षा विभाग स्पष्टीकरण पर क्या कार्यवाही करेगा?	25.10.2017
10	जिला शिक्षा अधीकारी मा.शि. चूरु एवं शिक्षा शासन सचिव गौर उचित कार्यवाही में नियम कानून-कायदे अपनायें	9.11.2017
11	कार्यकारिणी की सूची किस संस्था ही है?	25.11.2017
12	जिला शिक्षा अधिकारी मा. शड़. चूरु बतायें विद्यालय की मान्यता है क्या?	9.12.2017
13	दोनों विद्यालयों का मान्यता पंजीयन एक कैसे हैं? माध्यमिक शिक्षा बोर्ड राजस्थान अजमेर द्वारा जारी पत्र की जांच रिपोर्ट में देरी क्यों?	25.12.2017
14	दोनों विद्यालय का रजिस्ट्रीकरण एक कैसे है? प्रकाशन पत्र वाला विद्यालय कहां चल रहा है, क्या जिला शिक्षा मा. शिक्षा जवाब देगा	9.1.2018
15	राजस्थान सरकार शिक्षा विभाग जवाब दे माध्यमिक शिक्षा बोर्ड राजस्थान अजमेर के सचिव ने पुनः शिक्षा निदेशक को पत्र लिखा	25.1.2018
16	राजस्थान सरकार शिक्षा विभाग, माध्यमिक शिक्षा बोर्ड, राजस्थान अजमेर जवाब दे-श्री बाबा पब्लिक सी.सै. स्कूल सरदारशहर का संस्था प्रधान कक्षा 10वीं, 12वीं के परीक्षार्थियों का प्रवेश पत्र कैसे प्रमाणित कर दिया	9.2.2018
17	शिक्षा विभाग राजस्थान सरकार किस विद्यालय के छात्रों की 10वीं कक्षा, 12वीं कक्षा की परीक्षा निरस्त करने का निर्णय लेगी	9.3.2018
18	सत्र 2015 के 10 वीं कक्षा (सैकण्डरी) के नामांक 344026 से 344094 तक व 2014 के 10वीं कक्षा के नामांक 327697 से 327770 तक के छात्रों का परीक्षा फार्म किस विद्यालय द्वारा दाखिल किया गया?	25.3.2018
19	श्री बाबा पब्लिक शिक्षण संस्था सी.सै. स्कूल गौशाला बास, श्री बाबा पब्लिक सी.सै. सरदारशहर में कौनसा पद स्वीकृत है	25.6.2018
20	श्री बाबा पब्लिक शिक्षण संस्था सी.सै. स्कूल गौ.बास सरदारशहर	9.7.2018
21	जांच अधिकारी ने श्री बाबा पब्लिक शिक्षण संस्था सी.सै. स्कूल गौशाला बास सरदारशहर व श्री बाबा पब्लिक सी.सै. स्कूल सरदारशहर की जांच पत्रावली शिक्षा विभाग राजस्थान सरकार (स्कूल शिक्षा) के पाले में पहुंचा दी, कौन से विद्यालय द्वारा बालकों का भविष्य चौपट किया? जांच अधिकारी ने खूलासा किया होगा? स्थानीय अधिकारी, जिला शिक्षा अधिकारी कब तक छत्रछाया करते रहेंगे, सच्चाई को उजागर करें	9.9.2018
22	मुख्य शासन सचिव राजस्थान सरकार के पत्र की पालना आयुक्त को कर सच्चाई उजागर करनी पड सकती है	25.9.2018
23	माध्यमिक शिक्षा बोर्ड अजमेर जवाब नहीं दे रहा है, सत्र 2010 के बाद किस	25.10.2018

	विद्यालय को अस्थाई अथवा स्थाई मान्यता का परीक्षा का आदेश जारी कब किया गया	
24	सचिव माध्यमिक, शिक्षा स्कूल, शिक्षा राजस्थान जयपुर कब तक जांच रिपोर्ट मुहैया करवाएंगे। जांच रिपोर्ट श्री बाबा पब्लिक शिक्षण संस्था सी.सै. स्कूल गौशाला बास सरदारशहर की अथवा श्री बाबा पब्लिक सी.सै. स्कूल सरदारशहर की मान्यता किसकी खुलासा होगी?	9.11.2018
25	माध्यमिक शिक्षा बोर्ड राजस्थान अजमेर द्वारा कितने समय तक पत्रावली उच्च अधिकारियों के पास रखेगा? मोह भंग होगा	25.11.2018
26	श्री बाबा पब्लिक शिक्षण संस्थान सी.सै. स्कूल गौशाला बास सरदारशहर व श्री बाबा पब्लिक सी.सै. स्कूल सरदारशहर की दूसरी जांच में भी जांच दल मुख्य बिंदुओं से क्यों हट गये? माध्यमिक परीक्षा की स्वीकृति अस्थाई आदेश से आगे की अवधि का जांच पत्रावली में जिक्र क्यों नहीं किया गया	9.12.2018
27	राजस्थान सरकार शिक्षा विभाग स्कूल शिक्षा बताये कि 10वीं कक्षा एवं 12वीं कक्षा के परीक्षा आवेदन पत्र मान्यता वाले विद्यालय द्वारा प्रमाणित कर प्रेषित किया गया है?	25.12.2018
28	शिक्षा विभाग राजस्थान सरकार (स्कूल शिक्षा) बतायें किस विद्यालय की मान्यता है, टी.सी. के मोहर वाले विद्यालय की मान्यता है अथवा टी.सी. के उपर लिखेगयेनाम वाले विद्यालय की मान्यता है, जांच अधिकारी द्वारा जांच में उपर लिखे गये विद्यालय को कैसे लोप कि दिया, शिक्षा विभाग ऐसे विद्यालय की जांच ईमानदारी से क्यों नहीं करते? सरकारी विद्यालय द्वारा प्रवेश कैसे दिया गया?	9.1.2019
29	माध्यमिक शिक्षा बोर्ड राजस्थान अजमेर श्री बाबा पब्लिक शिक्षण संस्थान माध्यमिक विद्यालय गौशाला बास वार्ड 35 सरदारशहर की मान्यता 2010 के बाद का आदेश जारी कब किया गया बतायें, बिना मान्यता बढ़ाये छात्रों को परीक्षा में प्रवेश कैसे दे दिया, जांचकर्ताओं द्वारा जांच रिपोर्ट में उल्लेख क्यों नहीं किया गया, इससे स्पष्ट है कि 2010 के बाद के आदेश में शंका पैदा होना उचित है या अनुचित, मा.शि.बोर्ड राज. अजमेर समाधान करें	25.1.2019
30	सचिव माध्यमिक शिक्षा बोर्ड अजमेर, सचिव माध्यमिक शिक्षा राजस्थान (स्कूल शिक्षा), निदेशक माध्यमिक शिक्षा बीकानेर व जिला शिक्षा अधिकारी मा.शि. चूरू बतायें, बोर्ड परीक्षा 2014 का आवेदन पत्र प्रमाणित करने वाले विद्यालय की मान्यता कब से हैं, छात्रों की परीक्षा की अनुमति किसको आधार मानकर जारी की है, कोड वाले विद्यालय को अथवा आवेदन पत्र प्रमाणित करने वाले को	9.2.2019
31	सचिव माध्यमिक शिक्षा बोर्ड अजमेर, शासन सचिव माध्यमिक शिक्षा (स्कूल शिक्षा), निदेशक माध्यमिक शिक्षा बीकानेर, मान्यता अनुभाग अधिकारी जिला शिक्षा अधिकारी माध्यमिक शिक्षा चूरू, उपनिदेशक, मा. शिक्षा चूरू बतायें, उच्च माध्यमिक बोर्ड परीक्षा 2014 का आवेदन पत्र प्रमाणित करने वाले विद्यालय की मान्यता कब से संचालित कहां पर? परीक्षा की अनुमति किसको आधार मानकर जारी की है, कोड वाले विद्यालय को अथवा आवेदन पत्र प्रमाणित करने वाले को विद्यालय प्रधान पर पुलिस कार्यवाही क्यों नहीं की जा रही है, जवाब दें?	25.2.2019
32	शिक्षा शासन सचिव (स्कूल शिक्षा) शिक्षा निदेशक माध्यमिक शिक्षा बीकानेर, सचिव माध्यमिक शिक्षा बोर्ड राजस्थान अजमेर, उप निदेशक मा. शि. चूरू जिला	9.3.2019

	शिक्षा अधिकारी मा. शि. चूरू बताये श्री बाबा पब्लिक सीनियर सैकण्डरी स्कूल सरदारशहर को मान्यता कब दी गई, सचिव मा. शिक्षा बोर्ड अजमेर माध्यमिक उच्चर माध्यमिक परीक्षा में इस विद्यालय के छात्रों को प्रवेश कैसे दे दिया, नियमों को ताक पर रखकर अथवा नियमानुसार बतायें स्थानांतरण प्रमाण पत्र वाले विद्यालय को वाणिज्य विषय में कंप्यूटर विषय की स्वीकृति कब जारी की, स्वीकृति आदेश देने में क्यों आनाकानी कर रहे हैं	
33	जिला शिक्षा अधिकारी मा.शि. चूरू मुख्यालय तथा निदेशक मा. शिक्षा बीकानेर को स्पष्ट करना होगा,श्री बाबा पब्लिक सी.सै. स्कूल सरदारशहर व श्री बाबा पब्लिक शिक्षण संस्थान गौशाला बास में कहां-कहां पर संचालित हो रही है	25.4.2019
34	शासन सचिव माध्यमिक शिक्षा राज. निदेशक मा.शि. जिला शिक्षा अधिकारी चूरू जवाब देने में उलट-पलट क्यों कर रहे हैं? किस विद्यालय की मान्यता नियमानुसार है, परीक्षा आवेदन पत्र पर दो विद्यालय का नाम व मोहर अलग-अलग क्यों है?	9.9.2019

It was reported in the impugned news items that an educational institute located at the City Sardarshahar, after starting primary school has reached upto senior higher secondary school and obtained recognition fraudulently. When it was exposed, the Education Department came to know that this institute was running under two names. On receiving information under Right to Information Act, it was found that some papers were related to Shri Baba Public Educational Institute Secondary School and while others were related to Shri Baba Public Senior Secondary School. It was further reported that the complainant cleverly took the recognition of the School. It was also reported that complainant has been using education institute as a business. The Education Department should inquire about the admission charges taken by the school from the students. It was reported that maximum number of students are being enrolled by the school and an inspection of the report cards and transfer certificates issued by the school is also required to be inquired by the Education Department, so that the future of the students could not be spoiled.

Denying the allegation levelled in the impugned news items, the complainant alleged that the respondent is targeting his school for the last 4-5 years by continuously publishing a series of false, misleading and defamatory impugned news items with a view to blackmail them. According to the complainant, the respondent is his neighbour and is malicious towards him. The complainant further stated that the respondent demanded money on monthly basis from him for not publishing the news against him and on refusal he started publishing false and defamatory news against him. The complainant alleged that the respondent harassing him by continuously seeking information about his school under RTI Act.

The complainant vide letters dated 10.8.2018, 27.4.2019, 11.7.2019 drew the attention of the respondent towards the impugned news items but received no reply.

A Show-cause notice dated 11.11.2019 was issued to the Editor, Anuchar, Churu, Rajasthan.

Communication from Respondent

Shri Shiv Bhagwan Parik Joshi, Editor, Anuchar, Churu vide communication dated 2.12.2019 has submitted that the allegation levelled by the complainant is false, baseless and without any evidence. The respondent further submitted that he has no ill-will towards anyone and the impugned news items were published in good taste and for public awareness.

Further communications from Respondent

The respondent vide letters dated 26.11.2020, 1.12.2020, 12.1.2021 and 12.2.2021 submitted that he may be provided a certified copy of complaint. He has further sought a copy of Order under which Notice for hearing has been issued to him. He has also sought information about the complainant as to which school he belongs to . After getting requisite information, he will be able to file the reply in the matter.

The respondent also submitted that the allegations levelled by the complainant are completely false. He submitted that he has neither blackmailed nor taken money from the complainant. Therefore, complainant's claim that money has been given to him many times is completely wrong. As claimed by the complainant in his complaint, he has sought the proof about his being psychopath. 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 25.2.2021 at New Delhi. Despite service of notice, there was no appearance from either side.

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dispose of the complaint.

PRESS COUNCIL OF INDIA

S.No.59

F.No.14/133/19-20-PCI

Complainant

Shri R.K. Soni,
Joint Director,
Local Fund Audit,
Madhya Pradesh Finance Department,
(Bhopal Division),
Bhopal (M.P.)

Respondent

The Editor,
Buland Rashtra,
Indore (M.P.)

Adjudication dated 27.05.2021

This complaint dated 9.5.2019 was filed by Shri R.K. Soni, Joint Director, Local Fund Audit, Madhya Pradesh Finance Department (Bhopal Division), Bhopal (M.P.) against the Editor, Buland Rashtra, monthly newspaper, Indore (M.P.) for allegedly publishing a series of false, fabricated and defamatory news items against him.

The complainant submitted that the respondent filed a complaint against him on 10.4.2018 before the Additional Principal Secretary, Finance Department, Madhya Pradesh and Lokayukt, Bhopal alleging that during the period of January, 2018 to March, 2018, he had done many sting operations through hidden cameras and as per the respondent in the aforesaid so-called sting operations, the respondent captured incidences of corruption against the complainant. On the basis of the complaint, on very next day on 11.4.2018, the Finance Department, Bhopal issued an order transferring him from Regional office to Local Fund Audit, Directorate, Bhopal for fair investigation of the complaint. According to the complainant, Lokayukt also started investigating the aforesaid complaint filed by the respondent.

The complainant alleged that the respondent published news item on 20.4.2018 under the caption “ये भ्रष्टाचार का रावण कब जलेगा” (When this evil Ravana of corruption will burn?) on front page along with his photograph as Ravana with the tempered image having 10 heads reporting that an information about the involvement in getting commission by Shri Rajkumar Soni, Joint Director, Finance Department at Indore and Ujjain Division, Government of Madhya Pradesh and Shri Rahul Kumar Jhanwar, posted at Indore Municipal Corporation, Devi Ahilya University has come into light. In this regard, when news of the sting operation reached the officers, an attempt to save both of them has been started. It was further reported that a complaint lodged before the Lokayukta in this regard and the Chief Minister and the Finance Minister of the State also gave instructions for strict action. According to the sources, the Chief Minister gave orders for their suspension, but they have been posted in Bhopal to cover up their misdeeds.

The complainant alleged that the respondent on June, 2018 published news item under the caption “स्टिंग ऑपरेशन में कैदभ्रष्टाचार के जिन्न” (Jinn of corruption has been captured in sting operation) on front page along with his photograph again levelling allegation of corruption.

The complainant stated that thereafter the respondent tried to approach him on various means and ways and tried to communicate him that if a good proposal is offered to the respondent by him, the respondent is ready to take the aforesaid complaint back and will stop publishing defamatory articles. The complainant alleged that on refusal to fulfil the demands of the respondent, the respondent again published news items on 20.8.2018 against him under the captions “कमीशनखोर अफसरों के वशीकरण में म.प्र. वित्त विभाग”, “ताल ठोक के कहे सरदारा सोनी ने कमीशन पर तगडा हाथ मारा”, “वित्त विभाग के चंद अधिकारियों के दबाव में रची डिपार्टमेंटली इंकवारी की चाल...कमीशनखोर अफसरों को बचाने के लिए फोडा डिपार्टमेंटली इंकवारी का बम - संविधान की धाराएं धरी रह गई वित्त विभाग म.प्र. में”, “काजल की कोठारी में कितना भी सयाना क्यों न हो - दाग लगे...पर लगे...पर लगे”. The complainant alleged that this time respondent not only published against him but also against the aforesaid departments stating that these departments are working illegally and also used inappropriate words for officials of Lokayukt and his department, which shows that the respondent, for fulfilling his undue demands, started abusing officials of these departments and it is crystal clear that the respondent is involved in yellow journalism, whose prime purpose is to blackmail innocent government officials for extortion by threatening them to malign their image and reputation through publishing news.

The complainant submitted that the complaint filed by the respondent against him to Lokayukta was dismissed on 10.10.2018 being baseless and having no merit. After a thorough departmental inquiry commenced against him, the Disciplinary Authority also found that in the complaint filed by the respondent on affidavit, it is stated that duration of so-called sting operation done by the respondent is from January, 2018 to March, 2018 but while watching the aforesaid video provided by the respondent in a CD, the recording date and time showing in the sting video was 19th January, 2016, time 20:50 and thus it was found that sting operation was fabricated. The complainant further submitted that after thorough Department Inquiry, the Disciplinary Authority dismissed the complaint on 12.4.2019 having no merits and acquitted him from all the charges.

The complainant has alleged that even after dismissing the complaints by the Lokayukt, the respondent in its issue dated 20.2.2019 again published a news item under the heading “कलयुग की महाभारत” wherein the respondent characterized him similar to “Duryodhan”.

The complainant vide legal notice dated 22.4.2019 had requested the respondent to publish a detailed apology immediately, but received no response. The complainant requested the Council to take stern action against the respondent.

Show-cause notice was issued to the Editor, Buland Rashtra, Indore on 27.5.2019 followed by reminder dated 9.7.2019.

Written Statement

The respondent-Shri Jagjit Singh Chauhan, Chief Editor, Buland Rashtra, Indore vide reply dated 8.7.2020 stated that the complainant has filed this complaint due to a sting operation on him with a view to hide wrong doings and to pressurise him (respondent). While producing evidence in support of his allegation, the respondent stated that it makes clear that how the complainant humiliates and defame his subordinate officers and also by taking advantage of political access he

benefitted the culprits. According to the respondent, the then Under Secretary and Deputy Secretary of the Finance Department asked for all the instruments used in the sting operation, but when he requested to give written request, they refused. The respondent has further stated that when the complainant came to know in September, 2019 that he (respondent) was submitting application against him to the Lokayukta through a press conference, the complainant with the connivance of Incharge of Police Station-Lasudia, Indore lodged a case against him and at the same time, he got threats from the In-charge, which was recorded in CCTV. The respondent submitted that he filed a petition before Hon'ble Court in this regard. The respondent further stated that important papers are being disappeared from the office of the complainant. The respondent stated that several news stories against the complainant have been published in various newspapers and aired on the news channels. He has requested the Council to dismiss the case.

Report of the Inquiry Committee

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

Despite service of notice, the respondent has not chosen to appear. Mr. Akash Deep Shukla, Advocate appears on behalf of the complainant. He has taken the Inquiry Committee to the various news items published in the respondent newspaper. The Inquiry Committee has also perused the complaint, the written statement filed by the respondent and all other connected papers. The Inquiry Committee is of the opinion that the respondent newspaper has used language which is not expected from a newspaper. In the opinion of the Inquiry Committee, the language used in the impugned news items and the manner of presentation clearly show malafide on part of the editor of the respondent newspaper. It seems that the respondent is targeting the complainant. In the opinion of the Inquiry Committee, the conduct of the respondent newspaper is reprehensible and accordingly, recommends that the respondent newspaper be **Censured**. A copy of the Order be forwarded to the Director, Information and Public Relations Department, Government of Madhya Pradesh, the Director General, Bureau of Outreach and Communication and the District Magistrate, Indore for necessary 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 Inquiry Committee and decides to **Censure** the respondent-newspaper, Buland Rashtra, Indore.

Press Council of India

S. No. 60

F. No. 14/311/19-20--PCI

Complainant

Shri Nitin Agrawal,
S/o Shri Naresh Agrawal, City Cars,
A Unit of Agrawal Wheels, Pvt. Ltd.,
Panna, Naaka, Satna, MP

Respondent

The Editor,
Revanchal Roshni,
Satna, MP

Through his advocate,
Shri Ramnivas Sharma

Adjudication dated 27.05.2021

This complaint dated 26.8.2019 has been filed by Shri Nitin Agrawal, Satna, MP through his advocate, Shri Ramnivas Sharma against the Editor, Revanchal Roshni weekly for professional misconduct and publication of false and defamatory news items. He has alleged that the respondent has published defamatory news item in its issues and captions as follows:-

<u>Sl. no</u>	<u>Captions</u>	<u>Dated</u>
1	नितिन के शोरूम में ईलू-ईलू थाने तक पहुंच रही, कबूतरबाजी की शिकायते	27.3.2019
2	नितिन के शोरूम में महिला कर्मचारी सुरक्षित नहीं?	3.4.2019
3	शोरूम में तालिबानी हुकूमत चला रहे नितिन	10.7.2019
4	शोरूम में छापा मालिक को बनाया मुर्गा.....	24.7.2019
5	सावधान। नेक्सा शोरूम में डेमेज गाड़ी बनाकर बेच रहा नितिन	7.8.2019
6	नेक्सा शोरूम में काम करने वाली महिलाओं में दहशत।	29.8.2019 - 4.9.2019
7	आखिर कब होगी नेक्सा शोरूम के मालिक के ऊपर एफआईआर	15.8.2019 - 21.8.2019

It has been reported in the news items that the females working at the complainant's showroom are not safe; they have been frightened with unknown fear by the complainant. It has also been mentioned in the news item that the complainant does not bother for the uncomfortable/unhealthy atmosphere at his showroom for his female employees, he is bothered only for selling the vehicles. It has also been mentioned in the news report that illegal activities also took place here and love birds visit this showroom for their personal meet and also, the complainant himself is fond of being indulged in these activities. It has also been published by the respondent that one of the manager working at the showroom has many a times been alleged for molestation, but no action has been taken by the owner as he himself is involved in such vulgar practices. It has also been reported that the complainant gets

free hand to follow this practice due to money and compelling circumstances of the people, who are being harassed by him. It has also been published that the manager concerned was once arrested by the police and the complainant brought him out of all controversies on the basis of money, he offered the huge amount to the higher officers and managed them. The manager is the master-mind and manages all black deeds of the owner i.e. the complainant. One incident has also been quoted that one female was called by the manager at the hotel with mal-intentions, initially she denied, but due to work pressure she visited the hotel, and later on after filing complaint with the police station, she left the job.

In the another news item, it has been published that the complainant while recruiting the staff, gets a blank paper signed from them and also a signed blank cheque, and harasses them. He does not pay the salary to the staff as fixed on the time of recruitment, he pays lesser amount, and if the employee decides to resign, the complainant uses the employee's signed blank cheque and harass them. It has also been alleged in the news item that the complainant is selling the damaged cars after their renovations.

The complainant has stated that the respondent editor, publisher and owner has been apprised for the grievance and notice has been sent to them, but received no response. He has alleged that the newspaper has published defamatory news items against him, for not materialising his unfair benefits.

Show Cause Notice was issued to the respondent editor, Revanchal Roshni on 21.10.2019.

Written Statement

In response of the Council's Show Cause Notice dated 21.10.2020, the respondent vide undated written statement while denying the allegations levelled by the complainant has stated that, the complaint made by the complainant is totally baseless. He has further submitted that the complainant's complaint regarding misbehaviour/molestation with ladies has been reported many a times by the employees working in complainant's showroom. Based on those information the news items have been published, it has been reported on the basis of truth that once almost six months ago, one female employee was molested by the manager of the showroom at hotel. Version of the complainant was sought on each and every news item but his non-cooperation has always been found. The complainant would have approached the office of respondent editor, seeking the clarification and apology with the same prominence in the newspaper, but he hasn't found it appropriate to file notice with the respondent, by this of his behaviour, he has tried to suppress the voice of media and general public. He has also stated that due to several complaints against the complainant, the labour department conducted an investigation. He denied all the blames viz. seeking unfair benefits, professional misconduct and publication of false and defamatory news items.

He further stated that the news items published by the newspaper are based on the information received from its sources and no carelessness has even been practiced by the newspaper.

Counter Comments

In response of the written statement, the complainant vide his letter dated 07.01.2020 has filed the published version of the impugned news items and requested for hearing.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.02.2021 at New Delhi. There was no appearance from either side.

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint.

Press Council of India

S. No. 61-62

F.No.14/385-386/19-20-PCI

Complainant

Shri Mustafa Mandal,
Indore,
(M.P.)

Respondent

The Editor,
Dainik Crime Darpan,
Indore (M.P.)

The Editor,
Weekly Crime Darpan,
Indore (M.P.).

Adjudication dated 27.05.2021

This complaint dated 26.9.2019 has been filed by Shri Mustafa Mandal, Indore (M.P.) through his advocate against the Editors of (1) Dainik Crime Darpan and (2) Weekly Crime Darpan, Indore for allegedly publishing false, misleading and defamatory news items with a view to blackmail him. The captions and dates of the impugned news items read as follows:

<u>S.No.</u>	<u>Caption</u>	<u>Name of Newspaper</u>	<u>Date</u>
1	सराफा का मुस्तफा मंडल छाप रहा है नोटों के बंडल	Dainik Crime Darpan	12.9.2019
2	अब खुलेगा...चोरी के माल खरीदने के 'सरदार' मुस्तफा मंडल का कमंडल	Dainik Crime Darpan	13.9.2019
3	मामला सराफे के मुस्तफा मंडल का	Dainik Crime Darpan	14.9.2019
4	मुस्तफा मंडल के मामले में अंसार अली द्वारा धौंस- सराफा व्यापारी मुस्तफा मंडल के काले कारनामे छापे जाने पर बंगालियों के पूर्व अध्यक्ष अंसार अली ने पत्र के संपादक को मोबाईल पर धौंस दी जिसकी शिकायत पुलिस महानिरीक्षक एवं प्रेस काउंसिल आफ इंडिया को की जा रही है	Dainik Crime Darpan	25.9.2019
5	मुस्तफा मंडल...काले धंधों का कमण्डल...	Weekly Crime Darpan	19.9.2019- 25.9.2019
6	फालोअप...मामला सराफे के मुस्तफा मंडल का- अजब मुस्तफा की गजब कहानी-अकूत दौलत का मालिक कैसे बन बैठा मुस्तफा...?	Weekly Crime Darpan	26.9.2019- 2.10.2019
7	मामला सराफे के मुस्तफा मंडल का-मुस्तफा की संपत्ति की जांच होगी?	Weekly Crime Darpan	3.10.2019- 3.10.2019

It has been reported in the impugned news items published in Dainik Crime Darpan that the bullion merchant Mustafa Mandal, who came to Indore from West Bengal few years ago, has now become millionaire. It has been further reported that Mustafa Mandal is involved in gold smuggling and other illegal activities with the connivance of the police. The government agencies will now investigate the matter.

It has been reported in the impugned news items published in Weekly Crime Darpan that the black deeds of Sarafa merchant Mustafa Mandal are exposing now. Mustafa Mandal has earned assets/property worth crores of rupees through gold smuggling and other illegal business in the garb of bullion business. In a case of buying a stolen good, he hushed up the case with connivance of the police officer. It has been further reported that Mustafa Mandal also knows Tantrism, due to which other traders are afraid to speak against him. It has reported that Mustafa Mandal has also given shelter to the goons, so that no one can raise voice against him. It has been stated in the news items that complaints are being given in this regard to the higher police officer and there is necessity of thorough investigation.

Denying the allegations levelled in the impugned news items, the complainant has submitted that the impugned news items are false, misleading and defamatory and published with a view to pressurize the police and administration to take action against him. According to the complainant, he is a good artist of making gold jewellery and has been working in Indore for the last 35-36 years. He has a good reputation in the society and no criminal case has been filed against him till date. The complainant has alleged that the respondents are continuously publishing false and defamatory impugned news items and demanding illegal money. The complainant has alleged that the respondent published false and defamatory news items under a conspiracy without knowing the facts, due to which his image tremendously damaged in the society.

The complainant has submitted that he issued letters dated 19.9.2019 to the respondents on the addresses given in the newspapers, but the same has been received undelivered with the postal remarks “दिये गये पत्तों पर पाने वाला नहीं रहता”.He has requested the Council to take necessary action in the matter.

No Written Statement

Show-cause Notices issued to the Editors of “Dainik Crime Darpan” and “Weekly Crime Darpan” on 22.11.2019 but the same received back undelivered from the postal authorities with the remarks “अपूर्ण पत्ता”.Thereafter, show-cause notices were issued to the respondent through email on 23.12.2019 and 30.12.2019 but received no reply.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.02.2021 at New Delhi. There was no appearance from either side.

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

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint.

Press Council of India

S.No. 63

F. No. 1915/2020-A-PCI

Complainant

Shri Manouj S. Agarwaal
Pune,
Maharashtra

Respondent

The Editor,
Aaj ka Anand,
Pune, Maharashtra

Adjudication dated 27.05.2021

This complaint dated 4.8.2019 has been filed by Shri Manouj S. Agarwaal, Pune, Maharashtra against the Editor, Aaj ka Anand, Pune for publication of manipulated news items and using inappropriate language.

It was reported in the impugned news item dated 4.8.2020 that a family viz Jangam family, settled in Yervada has cremated 1400 family members who died due to corona with the title 'पूरा परिवार पिछले 4 महीनो में अब तक 1400 शवो को निपटारा कर चुका'. The complainant has raised his objection for using word निपटारा by the respondent editor. The complainant has also pointed out that the respondent has not bothered for following the guidelines for publication of a news story and has violated norms. The complainant has stated that the respondent newspaper is habitual of irresponsible reporting, indulged in misleading reporting and sensationalise the news, without any factual inquiries.

Show –Cause notice was issued to the respondent Editor, Aaj ka Anand, Pune on 3.11.2020.

Written Statement

The respondent editor, Aaj Ka Anand vide written statement dated 20.11.2020 while denying the allegations of the complainant has stated that the instant matter is related to a personal revenge of the complainant towards the newspaper. He has further stated that the complaint is misconceived under wrong assumptions and presumptions. He has stated that the complainant is pondering on the word 'निपटारा' and has not followed the praise done by the newspaper about the Jangam family who does 1400 cremations due to COVID-19 pandemic. He has mentioned two or three synonyms of the word in question and found it correct for publishing. He has stated that the complainant filed this complaint with ill motive as his brother contested in the elections as a representative of Hamari Apni Party and the complainant sought the help of newspaper. The newspaper refused them, as they did not found the credentials of the person concerned deserving to support.

Counter Comments

The complainant vide his counter comments dated 11.1.2021 and 13.1.2021 has stated that the reply of the respondent is false, frivolous and derogatory in nature and far away from the truth. He has mentioned that it is direct assault on the discretionary powers of the Council. The complainant has stated that the respondent has tried his level best to play tricks with set words to explain meaning of the

objectionable and filthy word 'निपटारा' used by him in his news item dated 4.8.2020. He pointed out other blunder mistakes done by the respondent newspaper in other news items. He has further stated that the word 'निपटारा' has been used for the last rituals performed by the family for the departed souls of their beloved ones.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2021 at New Delhi. There was no appearance from either side despite service of notice.

The complainant has filed an application showing his inability to appear before the Inquiry Committee and prayed for deciding the case on merit and on the basis of the record. Written statement has been filed. In the background of the news, the Inquiry Committee is of the opinion that the use of the word "निपटारा" is not unethical/ unparliamentary.

Accordingly, the Inquiry committee is not inclined to uphold the grievance of the complainant and accordingly recommends for dismissal of the case.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dismiss the complaint.

Press Council of India

S.No. 64

F. No. 14/424/19-20-PCI

Complainant

Shri Manoj S. Agarwaal
Pune,
Maharashtra.

Respondent

The Editor,
Aaj ka Anand,
Pune, Maharashtra

Adjudication dated 27.05.2021

This complaint dated 4.8.2019 has been filed by Shri Manoj S. Agarwaal, Pune against the Editor, Aaj ka Anand, Pune for allegedly sensationalising the news and using inappropriate language. The complainant has raised his objections towards a news series published on July 29th, 30th and 31st, 2019.

According to the complainant, an incident occurred in Noor Mohalla, Pimpri, Chinchwada where three dead bodies of three minors were found along with their deceased mother. In this regard, the respondent published news item in its issue dated 29.7.2019 under the caption “तीन मासूम बच्चों को मौत की नींद सुलाकर मां ने भी की खुदकुशी” reporting that mother killed three minors and committed suicide afterwards due to financial distress along with personal details of the three minors and the mother with photograph.

The complainant while alleging the newspaper pointed out that it has been noticed that Muslim community’s appeasement has usually been done by the secular organisations and political leaders, but it has been noticed that while offering undue sympathy, the respondent has portrayed the picture of the incident, as if the minor community is facing financial crises and due to it, they are compelled to commit suicide.

The complainant has stated that the fact was that the police authorities in its initial investigation suspected the matter may have been a suicide case due to financial problems. After receiving the post-mortem report, the police authorities came to know that it is a ruthless murder mystery, and connected to the family revenge, for which the husband of the deceased was arrested and kept in the police custody for five days.

The next continuous report was published in the series was published in its issue dated 30.7.2019, with the caption “भोसरी आत्महत्या प्रकरण में आया चोकानेवाला’मोड़” wherein it was reported that it has been found in the post mortem report that two deceased aged 7 years and 9 years have been sexually abused and killed. Further, on 31.7.2019 another news item was published with caption ‘पिता ने ही बेटियों पर अत्याचार किया:5दिन की पुलिस कस्टडी’ reporting that father of the deceased minors is the prime suspect in the case and he has been kept in police custody for five days for interrogation. However, this time identities of the accused and deceased were not revealed, which were highlighted in the series of articles.

The complainant has stated that instead of publication of important facts, the respondent has portrayed the matter towards sympathy for minor community,

sensationalised the matter and misled the general public intentionally. He requested for appropriate action against the respondent newspaper.

Show Cause Notice was issued to the respondent on 19.3.2020.

Written Statement

The respondent vide written statement dated 29.5.2020 while denying the allegations has stated that the complaint is false, concocted, baseless and mischievous in nature. The respondent has further stated that the complaint made by the complainant with the ill-motive to harm the hard-earned reputation of the respondent newspaper and its editor. The respondent stated that the news items in question were based on the FIR filed by the Bhosari Police Station on 29.7.2019 bearing No.0729. He has further stated that it is the part of their routine practice of reporting crime news published in all the dailies. He has also stated that initially the police was under impression that the case was that of murders of children followed by suicide of their mother. Names were mentioned in the FIR by the police which had been incorporated, and all the papers published the names of the deceased and children. Further investigation revealed the facts and again the publication of the news items was done as per the police investigations. He has stated that the complainant filed this complaint with ill motive as his brother contested in the elections as a representative of Hamari Apni Party and the complainant sought the help of newspaper. The newspaper refused them, as they did not find the credentials of the person concerned deserving to support.

Counter Comments

The complainant vide his counter comments dated 19.1.2021 has stated that the reply of the respondent is false, frivolous and derogatory in nature and far away from the truth of the facts. The complainant has further stated that the respondent mischievously misinterpreted his grievance by mentioning that he has not revealed the identities of the victims in the news report dated 30.7.2019, which is absolutely wrong. The complainant has also stated that the police in the said matter issued three press notes about the barbaric incident wherein names of the victims were nowhere mentioned.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2021 at New Delhi. There was no appearance from either side.

Despite service of notice, the complainant has not chosen to appear. He has submitted an application, *inter-alia*, praying for disposal of the case on merit. The Inquiry Committee has perused the complaint, the written statement and all other connected papers and is of the opinion that the grievance made by the complainant is absolutely 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 Inquiry Committee and decides to dismiss the complaint.

Press Council of India

S.No. 65

F. No. 14/469/19-20-PCI

Complainant

Shri Kiran Ashok Karachiwala
Mira Road,
Thane, Maharashtra

Respondent

The Editor,
Dabang Khabrein,
Thane, Maharashtra

Adjudication dated 27.05.2021

This complaint dated 2.12.2019 has been filed by Shri Kiran Ashok Karachiwala, Thane, Maharashtra against the Editor, Dabang Khabrein, Thane for allegedly indulging in illegal activities in the garb of journalism.

According to the complainant, the respondent is misusing the newspaper for his own interest and thereby blackmailing, threatening and extorting money in the garb of journalism due to which the community of local area is facing problems. The complainant further stated that the respondent now started harassing him and his family due to some personal grudges.

The complainant informed that he had some family dispute with a local political leader and this matter was reached to the police station and news in this regard was published in various newspapers. Thereafter, the respondent-editor called him at his office for an interview and told him to file false case against his opponent and he will publish the same against his opponent in the newspaper and also upload on web-portal. On refusal, the respondent insulted him and asked to leave. The complainant further informed that few days back, he received some pictures of the respondent in vulgar state with some females on WhatsApp. He blurred those pictures and posted them on Facebook. Later on, someone else also posted these pictures on Facebook in original form. Annoyed with this, the respondent started harassing him by filing false complaints to the police. He has requested the Council to take appropriate action against the respondent.

Show Cause Notice was issued to the respondent editor, Dabang Khabrein on 17.3.2020.

Written Statement

Shri Shashi Sharma, Editor, Dabang Khabrein vide written statement dated 20.6.2020 while denying the allegations stated that he never called the complainant for interview or any other meeting. The respondent further stated that one Shivsena leader viz. Shri Mahesh Shinde resides near the complainant's residence. One night, the complainant and Mr. Shinde brawled and the complainant reached to police station but the police did not file the complaint. Thereafter, the complainant met him and sought his support for getting his complaint registered in the police station. According to the respondent, the complainant kept the factual position hidden that he lodged the complaint against Shri Mahesh Shinde to the Ward Officer. The respondent further stated that when he tried to know the version of other side i.e. Mr. Shinde, he came to know that the complainant was blackmailing Mr. Shinde. The respondent also stated that he published nothing against the complainant. He also informed that the said incident took place in the year 2017-18. According to the

respondent, the complainant kept the episode in his mind with revengeful intentions and started reacting on the social media, by posting uncalled post related to his personal life on the Facebook and other social platforms.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 25.2.2021 at New Delhi. While the complainant appeared in person, S/Shri Shashi Kumar Sharma, Editor and Ashok Nigam, representative appeared on behalf of respondent newspaper.

The Inquiry Committee has heard the complainant and the respondent and has also perused the petition of complaint, the written statement and all other connected papers filed by the respondent. Although the complainant has not been able to substantiate the allegation made in the complaint but the Inquiry committee finds that the language and the manner of presentation of news is not in conformity with the Norms of Journalistic Conduct. Since, no individual has made complaint about that, the Inquiry Committee is not proposing to take action against the respondent but cautions the respondent to be careful in future and accordingly, recommends for disposal of the case.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Inquiry Committee and decides to dispose of the complaint.