

Press Council of India

Adjudications rendered by the Council in its Meeting held on 10.6.2016 (Meetings held on March 14-16, 2016 at New Delhi, April 11-13, 2016 at Delhi. & May 10-12, 2016 at Pune)

Complaints by the Press
Section-13

Inquiry Committee-II Meeting held on March 14-16, March at New Delhi

1. Complaint of Shri Kumar Vijay alias Vijay Gupta, Journalist/Editor, Satellite Reporter, Delhi against Police and anti-social elements. **(13/84/14-15-PCI)**
2. Complaint of Shri Sharad Katiyar, Publisher/Editor, Youth India, Farukhabad against Anti Social Elements and Ministers. **(13/179/14-15-PCI)**
3. Complaint of Shri Sarvesh Kumar Suyash, Freelance Journalist/Managing Editor, Kanpur and National President Akhil Bhartiya Swatantra Patrakar Mahasangh against District Magistrate. **(13/169/14-15-PCI)**
4. Reference received from S/Shri S.N. Sinha, President, Indian Journalist Union & Member, Press Council of India, Amar Devulapalli, Secretary General, Indian Journalist Union and K. Amarnath, Member, Press Council of India regarding killing of a journalist, Shri Sandeep Kothari by mining mafia. **(13/55/15-16-PCI)**
5. Orders/Instructions issued by the Union Home Ministry restraining the bureaucrats from sharing information with journalists. **(13/104/15-16-PCI)**
6. Complaint of Shri Umesh Kumar Shukla, District Correspondent, Pragya Times, Barabanki against Director, I&PRD, Govt. of U.P. **(13/188/14-15)**
7. Complaint of Shri Kanhaiyalal Vishwakarma, Editor, Bundelkhand Chetna, Lalitpur against Anti social elements. **(13/32/15-16)**
8. Complaint of Shri Kumar Dev, Sub-Editor, Yug Bandhu, Mooradabad against Mooradabad Development Authority. **(13/93/15-16)**
9. Complaint of Shri Kamlesh Kumar, Editor/Publisher, Yug Bandhu, Moradabad against Government of U.P. **(13/94/15-16)**
10. Complaint of President, Madhya Pradesh Shramjivi Patrakar Sangh, Raisen against Police Authorities, Vidisha, M.P. **(13/161/14-15)**
11. Complaint of Shri Ram Kumar Sharma (Mulle), Editor/Publisher, Janoriya Weekly, Bind (M.P.) against Public Relations Directorate, Advertisement Branch, Bhopal (M.P.). **(13/124/14-15)**

Inquiry Committee-I Meeting held on April 11-13 at New Delhi

12. Complaint of Shri Vijay Kumar, Editor, Ashoka Express, New Delhi against Police authorities. **(13/151/15-16)**

13. Complaint of Ms. Sonali Jindal, T.V. Correspondent, TV 24 and Press Reporter Seema Sandesh, Kotakpura against Shri Jagtar Singh, Owner, Petrol Pump and Police authorities. **(13/87/15-16)**
14. Complaint of Shri Akshay Jain, Freelance Journalist, Meerut against Ms. Rashim Chaudhary, Mahila Police Officer, Meerut. **(13/70/15-16)**
15. Complaint of Shri Anup Sagar, Editor, Halla Bol Times Delhi against Anti-social Elements in Delhi. **(13/10/15-16)**
16. Complaint of Mr. Longsing Teron. Editor/Owner, Thekar against anti-social elements and Karbi Anglong Autonomous Council. **(13/125/14-15)**
17. Complaint of Shri Rajesh Chandra Bhattacharjee, Proprietor, Yugbhed, Bilaspur against the Coal Mafia and the Police Authorities. **(13/22/15-16)**
18. Complaint of Shri Alok Prakash Bharti @ Alok Yadav, Journalist, Hindustan Dainik, Purnia, Bihar against Police. **(13/13/13-14)**
19. Complaint of Shri Aravinth Kumar, Tirupur, Tamil Nadu and Shri K. Nagaimugan, President, Citizen for Rule of Law and Centre for Protection of Freedom of Press, Chennai, Tamil Nadu against Andhra Pradesh Police. (13/136/14-15)

Inquiry Committee-II Meeting held on May 10-12, 2016 at Pune.

20. Complaint of Shri Anwar Nori, Chief Editor, Mumbra Samachar, Thane (Mah.) against the Local MLA and Police, Thane (Maharashtra). (13/41/14-15)
21. Complaint of Shri Sardarsinh Naranji Chauhan, Editor, Khamir Weekly newspaper, Gir Somnath (Gujarat.) against Officials of Forest Department, Gir Somnath (Guj.). **(13/58/14-15)**
22. Suo-motu cognizance w.r.t. attacks on Lokmat Officer in Maharashtra (13/161/15-16) & Complaint of Shri Kareem Chand Sheikh against Editor, Lokmat.
23. Suo-motu cognizance regarding controversy surrounding the circular issued by the Government of Maharashtra on sedition in the wake of the ruling of Bombay High Court. (13/119/15-16)
24. Communication received from Delhi Union of Journalist with regard to attack on a lady journalist Ms. Revati Paul in Ahmedabad. (13/194/15-16)
25. Complaint of Shri Arpan Kamaikishore Goyal, Editor, Dainik Gokulniti, Jalna against anti-social elements. (13/89/15-16).

PRESS COUNCIL OF INDIA

Sl. No. 1

File No. 13/84/14-15-PCI

Shri Kumar Vijay alias Vijay Gupta,
Journalist/Editor,
Satellite Reporter,
Delhi

The Chief Secretary,
Government of National Capital
Territory of Delhi,
Delhi

The Secretary,
Home (Police) Department,
Government of National Capital
Territory of Delhi, Delhi.

The Commissioner of Police,
Delhi Police Headquarter,
Delhi

The Police in-charge,
Police Station,
Begumpur, New Delhi.

Shri Pawan Kumar,
Sub-Inspector,
Police Station Begumpur,
New Delhi.

Adjudication

Dated:10.6.2016

This complaint is filed by Shri Kumar Vijay @ Vijay Gupta, Editor/Journalist, Satellite Reporter, Delhi against Shri Pawan Kumar, Sub-Inspector and anti-social elements. In stating that he published a news item in his newspaper issue dated 30.12.2012 captioned “**Sub-Inspector Pawan Kumar and Builder Mafiaon ki santhganth se ho raha property par awaidh kabza**” The complainant submitted that on 5.1.2013 Sub-Inspector Pawan Kumar came to his house in Rohini and threatened him not to publish the news again. Thereafter, the complainant published two more news items on 6.1.2013 and 5.10.2013 under the heading “**Sub-Inspector Pawan Kumar ne sampadak ko juthe mukadme mein fasakar jail bhejne ki dhamki di**” and “**Rohini Sector 24 mein S.I. Pawan Kumar ka Gundaraj**” respectively.

The complainant stated that he bought a flat in Rohini Sector -24 in year 2006 and paid Rs.1,30,000 in cash and Rs.10 lakh paid in 2008. Shri Varun Gupta and his younger brother Shri Rohan Gupta has sold this property twice by forging DDA papers. Shri M.K. Gupta from Civil Court, ADJ accepted complainant's possession on the property and passed the property on 11.11.2010 to him. Shri Varun and Shri Rohan Gupta and his mother Sarvesh Gupta sold the complainant's property in connivance with Sub Inspector Shri Pawan Kumar on forged papers. The

complainant also enclosed a list of complaints in this regard filed with Delhi Police but no action taken by the police authorities.

The complainant further stated that some anti-social elements on 8.2.2013 and 10.2.2013 threatened to kill him and when he filed a complaint in local police station then Shri Pawan Kumar Sub-Inspector called him in police station on 1.10.2013 and where he received a call for withdrawal of the case and when he refused to do so then S.H.O. Begumpur and Sub-Inspector Shri Pawan Kumar registered a fake case against him on 31.12.2013 and sent him to jail on 20.2.2014. After spending 52 days in jail he got the regular bail on 5.6.2014.

A Notice for Statement in Reply was issued to the respondents police authorities on 30.9.2014.

Report Filed by the DCP

On behalf of respondent no. 3, Deputy Commissioner of Police, Outer District, Delhi filed a report before the Inquiry Committee meeting held at New Delhi on 4.1.2016 wherein he intimated that the matter concerns a property issue in which the complainant has also filed one Appeal before Hon'ble High Court of Delhi. He informed that a case FIR No. 523/13 u/s 420/468/471/447/380/120-B IPC was registered at PS Begumpur against the complainant and his co-associates. During investigation, the complainant was arrested and the Hon'ble Court sent him to Judicial Custody. His Bail Applications were dismissed by the Court from time to time. The Charge-sheet of the case has been prepared and is being sent to Prosecution Branch for scrutiny. Moreover, the Civil Suit no. 460/09, filed by the complainant, has been rejected by the Hon'ble Court by mentioning that the suit is based upon false and fabricated documents.

The complainant turned hostile on registration of a case against him by SI Pawan Kumar and had started filing complaints against him referring to the complaints pertaining to the years 2009-10 when SI Pawan Kumar was not even posted in PS Begumpur and put pressure upon the IO SI, Satbir Singh who is conducting the investigation of the case.

Letter from Dy. Director, Press, DIP, Delhi

Shri M.C. Maurya, Dy. Director Press, Directorate of Information & Publicity, Govt. Of NCT of Delhi, Delhi vide his letter dated 7.10.2015 has submitted that Shri Vijay Kumar Gupta, journalist is not accredited with the Directorate of Information and Publicity, govt. Of NCT of Delhi and no complaint has been received in this Directorate with regard to his grievance.

Response of Complainant on the Report filed by the Police

The complainant in his undated response received in the Secretariat on 11.3.2016 submitted that the police had submitted a false, wrong and absurd report before the Council due to which it is liable to be rejected. The complainant, while reiterating his complaint, requested to reject the status report filed by the police and direct the police of P.S. Begumpur to reject the FIR No. 523/2013 registered against the complainant and further requested to direct the police to give him

security. He also requested the Council to direct the respondent to compensate to the complainant to give injury to the reputation of the complainant and his harassment.

Report of the Inquiry Committee:

Following three adjournments dated 6.8.2015, 7.10.2015 and 4.1.2016, the matter came up for final hearing before the Inquiry Committee on 14.3.2016 at New Delhi. Shri Kumar Vijay, the complainant appeared in person whereas Shri Darade Sharad Bhaskar, ACP, Sultanpuri, Shri Ramesh Singh, SHO, Begumpur and Smt. Urmila Baniwal, AIO (Press) appeared for the respondents.

The Inquiry Committee heard the complainant as also the representatives of the respondents. It also carefully perused the record. The Inquiry Committee is of the opinion that the complainant is trying to ventilate his civil rights in respect of certain property. The Inquiry Committee is further of the opinion that no action needs to be taken against the respondent(s). It recommended to the Council to dismiss the complaint accordingly.

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 decided to **dismiss** the case.

Press Council of India

Sl. No. 2

File No.13/179/14-15-PCI.

Shri Sharad Katiyar ,
Publisher/Editor,
Youth India,
Farukhabad (U.P.).

Vs.

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

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

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

Shri R.P. Yadav,
Inspector-Incharge, Kotwali,
Farukhabad (U.P.).

Shri Srikrishan Gupta,
ITI ChowkiIncharge, Kotwali,
Farukhabad (U.P.).

Shri Vijay Singh,
MLA, Sadar, Farukhabad.

Shri Awadesh Mishra,
Advocate, Farukhabad.

Shri Satyavir Singh Gangwar,
Manager, Sarnam Singh Inter College,
Farukhabad (U.P.)

Shri Sanjeev Paria,
Secretary, District Bar Association,
Farukhabad.

Shri Pankaj Yadav,
Farukhabad.

Shri Devendra Singh Yadav,
Farukhabad.

Shri Yogendra Singh Yadav,
Farukhabad.

Shri Santosh Kumar,
Proprietor, M/s Aradhana Traders,
Farukhabad

Adjudication
Dated:10.6.2016

This complaint dated 21.2.2015 was filed by Shri SharadKartiyar, Publisher/Editor, Youth India, Farukhabad (U.P.) against anti-social elements, leaders and others for allegedly threatening to kill him due to publication of critical writings. According to the complainant, a news regarding encroachment of a land by a leader of Samajwadi Party was published by him prominently in his newspaper issue dated 2.2.2015. Annoyed with this, a threat to life was given to the complainant by the Samajwadi Party leader and Advocate Shri Yogendra Singh Yadav. The complainant submitted that he published two critical news items in his newspaper on 8.2.2015 and 9.2.2015 with regard to the Samajwadi Party and annoyed with these Shri Yogendra and his associates gave him threatening calls over his mobile and on 10.2.2015 Shri Yogendra Yadav and his armed associates came to his house and again threatened him. The complainant submitted that he got registered a case No.158/15 under Section 147/452/504/506 on 12.2.2015 against Shri Yogendra Yadav and his five associates in this regard. The complainant further alleged that the Secretary of District Bar Association, Shri Sanjeev Paria also misbehaved with him and threatened him with dire consequences and sent a registered letter. The complainant informed that Shri Yogendra Yadav also sent a Notice to him.

The complainant submitted that the attention of the higher authorities was drawn by him but to no avail.

The complainant submitted that allegation of rape has been levelled against him by the respondents, which is under investigation. The complainant apprehended that the respondents would implicate him in false cases.

Notices for Statement in Reply were sent to the respondents on 16.4.2015.

Written Statements

The respondent-Shri Awadesh Mishra, Advocate vide his written statement dated 29.4.2015 while denying the allegation levelled by the complainant in the complainant stated that the Notice issued to him is unlawful. The respondent alleged that the complainant blackmail reputed persons in the garb of journalism. The respondent stated that he gave Rs. one lac to the complainant which was not repaid by him. He filed a complaint to the Superintendent of Police, Fatehgarh in this regard and the matter is being investigated by the Circle Officer, Farukhabad. The respondent further alleged that the language of the newspaper is totally vulgar and provocative. The respondent mentioned that he also filed a complaint against the complainant before the Press Council on 20.3.2015. The respondent also alleged that several cases are pending consideration against the complainant.

The Superintendent of Police, Farukhabad (Fatehgarh), Shri R.P. Yadav, Inspector Incharge, Kotwali and Shri Krishan Gupta, SI, ITI ChowkiIncharge, Kotwali, Farukhabad in their joint written statement dated 4.5.2015 while denying the allegations levelled in the complaint submitted that since no statement of curtailment of freedom of press was referred in the complaint, therefore, Notice issued to them is liable to be dismissed. The respondents stated that the action on the request of the complainant regarding posting a picket at his office, taking action against the said persons and terminating the registration/membership of concerned advocates etc. is yet to be taken by the competent authorities in accordance with provision of law. The respondents further stated that with a view to maintain law and order a Challani Report under Section 107/116 IPC dated 24.3.2015 against Shri Yogendra Singh Yadav and his brother and the complainant-Shri Sharad Katiyar was filed by Shri Krishan Gupta, SI, ITI Chowki Incharge, Farukhabad before the City Magistrate, Farukhabad as the accused indulged in quarrel. On the basis of this, litigations Nos.143/15 (Govt. Vs. Yogendra and others)

and 142/15 (Govt. Vs. Sharad Katiyar) are pending consideration before court of law. With regard to the complaint registered by the complainant against Shri Yogendra Singh Yadav, the respondent informed that the matter was investigated by SI Shri Krishan Gupta, Chowki Incharge ITI Kotwali and the allegation could not be substantiated due to lack of evidence and this regard report dated 23.2.2015 was placed before the court of law, which is pending consideration.

Counter Comments

The complainant vide his counter comments dated 4.6.2015 while denying the replies of the respondents alleged that the written statement filed by the respondents-Shri Awadesh Mishra, Advocate and joint written statement of SP, Fatehgarh, Inspector Incharge and ITI Incharge, Frukhabad were false and far from the truth. According to him, he has sufficient documentary evidence in support of his allegations. He has requested the Council to take necessary action in the matter.

The complainant vide his further letter dated 13.7.2015 while denying the allegation levelled by the respondent-Shri Awadesh Mishra, Advocate alleged that the respondent is defaming the profession of lawyer by taking up the case of a lady who is habitual of registering false cases of rape. The complainant denied the allegation of the respondent that he published misleading news item regarding his wife.

Complainant's Further Letter

The complainant vide his further letter dated 29.12.2015 which was received in the Secretariat of the Council on 5.1.2015 (i.e. on the day of the hearing) while reiterating his complaint has stated that a case u/s 156(3) of murder has been registered against him and other journalists under a conspiracy. He alleged that a letter dated 6.4.2015 was issued by the U.P. Administration (Home) Police Department to the then Superintendent of Police to transfer the case no. 106/2015 u/s 307/504/506 IPC and Criminal Case No. 71/2015 u/s 376/364 IPC against the complainant and other journalists to the CBCID but the U.P. Administration did not take any action on it due to political pressure. Thereafter, he filed a writ petition no. 15166/2015 before the Allahabad High Court which in its order dated 20.8.2015 directed the Chief Secretary (Home), U.P. Administration to take action on the matter within two months of receiving the certified copy of the order. He further stated that he had supplied the certified copy of the order dated 20.8.2015 to the Superintendent of Police, Fatehgarh and Incharge PS, Mohamadabad through Registered A.D. as well as personally but despite that no action was taken due to political pressure.

Response from Superintendent of Police, Fatehgarh

Shri Rajesh Krishna, Superintendent of Police, Fatehgarh vide his letter dated 9.2.2016 has stated that the then Superintendent of Police, Fatehgarh already furnished the reply. He further furnished the Investigation Report dated 23.2.2016 in the matter.

Written Statement of Shri Sanjeev Paria, Secretary, District Bar Association

The respondent Shri Sanjeev Paria, Secretary, District Bar Association vide his letter dated 9.3.2016 has submitted that the complaint filed by the complainant is false and baseless and deserved to be dismissed. He further submitted that the complainant published a series of false news items against him intentionally. He filed a case against the false publication in the Court in which the Court found the complainant guilty. He alleged that the complainant published these false news items with the intention to blackmail him.

Report of the Inquiry Committee

Following an adjournment dated 5.1.2016, the matter came up for final hearing before the Inquiry Committee on 14.3.2016 at New Delhi. Shri Sharad Katiyar, the complainant appeared in person while Shri Yogesh Kumar, Dy. S.P., Shri Krishna Gupta, Sub-Inspector and Shri Sanjeev Paria, Secretary, District Bar Association appeared for the respondents.

The Inquiry Committee heard the complainant as also the Secretary of the District Bar Association and the Circle Officer, Farukhabad and perused the record. From the perusal of the record, it seems that there is some dispute between the complainant and the members of the Bar Association of Farukhabad. They are making allegations counter allegation against each other and it is a common ground that the matter is pending before the Court of Law. In the face of what the Inquiry Committee has observed above, it does not find any ground to uphold the complaint of the complainant newspaper. It recommended to the Council to dismiss the complaint accordingly.

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 decided to **Dismiss** the case.

PRESS COUNCIL OF INDIA

Sl. No. 3

File No. 13/169/14-15-PCI

Shri Sarvesh Kumar Suyash,
Freelance Journalist,
Kanpur Samvad News Network,
Kanpur.

The District Magistrate,
Kanpur.

Adjudication
Dated:10.6.2016

This complaint dated 5.2.1015 was filed by Shri Sarvesh Kumar Suyash, Freelance Journalist, Kanpur Samvad News Network, Kanpur against Dr. Roshan Jacob, District Magistrate, Kanpur. In his complaint, the complainant submitted that Shri Roshan Jacob District Magistrate, Kanpur has discriminatory attitude towards him and his newspaper. The Editor, "Kanpur Samvad" has complained about the hostile attitude of the District Magistrate, Kanpur against his paper as failure and irregularities in Kanpur Collectorate has been highlighted in various news published in his main paper as well as in special edition namely, "Kanpur Collectorate". The complainant submitted that as a reprisal measure by the District Magistrate, Kanpur namely Dr. Roshan Jacob, he has not been issued renewed accreditation card for want of her signature on his application. He and his reporters are not invited to Press Conference thereby depriving them to carry out their journalistic duties smoothly and in such circumstances his paper in on verge of close down. The complainant further submitted that the Information Department has also stopped the release of payment of advertisements bill to his paper for the year 2012/2015. The complainant requested the Council to take necessary action in the matter.

No Written Statement

A Notice for Comments was issued to the respondent on 6.4.2015 followed by a Time Bound Reminder on 27.5.2015 but received no response.

Hearing dated 8.10.2015

The matter came up for hearing before the Inquiry Committee in its meeting held on 8.10.2015 in which the Inquiry Committee recommended to the Council to dismiss the complaint for want of prosecution as no representation was made by the complainant despite service of notice.

After the hearing, the complainant filed a letter dated 6.10.2015 which was received in the Secretariat of the Council on 13.10.2015 in which he stated that due to ill health he could not attend the hearing. He further stated that he had already furnished all the relevant documents to the Council related to the case.

Hon'ble Chairman, while considering the aforesaid letter, directed to place the request of the complainant before the Council in its meeting held on 11.12.2015 at Guwahati.

In the meantime, the respondent had also filed a letter dated 9.11.2015 in which he stated that he could not attend the hearing due to late delivery of Notice for hearing.

The Council in its meeting dated 11.12.2015 held at Guwahati considered the request of the complainant as also the respondent at the time of ratifying the draft

adjudication of the case. It resolved to refer back the matter before the Inquiry Committee for reconsideration.

Report of the Inquiry Committee:

The matter came up for final hearing before the Inquiry Committee on 15.3.2016 at New Delhi. Shri Sarvesh Kumar, the complainant appeared in person while there was no appearance from the respondent's side.

It is the assertion of the complainant that he had applied for the accreditation card long back but the decision taken on that has not yet been communicated to him. His further grievance is that he is not allowed to attend the Press Conferences and other media events. Having bestowed his consideration, the Inquiry Committee is of the opinion that the competent authority takes decision on the prayer of the complainant, if already not taken, within two months from the date of receipt of a copy of this order.

The Inquiry Committee further like to observe that in cases whose prayer for grant of accreditation card is rejected, the brief reasons thereof, be assigned put on the website. Beside the same be communicated to the person concerned. In case, the prayer for accreditation card of the complainant is rejected, he shall be at liberty to assail the same in accordance of law. The Inquiry Committee recommended to the Council to dispose of the complaint on the aforesaid terms.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts reasons findings and adopts the report of the Committee and decided to **dispose of** the complaint on the aforesaid terms.

Press Council of India

Sl. No. 4

File No.13/55/15-16-PCI

Communications received from S/Shri S.N. Sinha, K. Amarnath, Members, PCI and Shri Amar Devulapalli, Secretary General, Indian Journalist Union regarding killing of a journalist, Shri Sandeep Kothari by mining mafia.

Adjudication

Dated:10.6.2016

S/Shri S.N. Sinha, K. Amarnath, Members, PCI and Shri Amar Devulapalli, Secretary General, Indian Journalist Union drew the attention of the Council towards killing of a Jabalpur based journalist, Shri Sandeep Kothari by miscreants of sand mining mafia. It was informed that Shri Sandeep Kothari, journalist and owner of "Dainik Kranti" was abducted 19.6.2015 and his half burnt body was found near Nagpur in Maharashtra on Sunday i.e. 21.6.2015. It was further informed that Shri Kothari was reporting extensively on the illegal sand mining in the area and filed a case against mining mafia. Police said that they suspected that the journalist was killed as he refused to withdraw the case against illegal mining in a local court.

A report on facts of the case was called for from the Government of Maharashtra and Government of Madhya Pradesh vide Council's letters dated 26.6.2015.

Reply of Government of Maharashtra

In response thereto, the Shri B.B. Ingale, Desk Officer, Govt. of Maharashtra, Mumbai vide his reply dated 9.11.2015 informed that the accused kidnapped and killed Shri Kothari and burnt his dead body in the jurisdiction of Sindi Police Station, Wardha in Maharashtra. Therefore, a case was registered as AD No.11/2015 under Section 174 of the Criminal Procedure Code at Sindi Police Station. He further informed that after investigation this case, it was registered as CR No.267/2015 under Section 365 IPC at Katangi Police Station, District Balaghat in Madhya Pradesh and all the papers related to the investigation were handed over to the Katangi Police Station for further investigation.

Shri Prabhat Kumar, Inspector General of Police (L&O), Office of the Director General of Police, Maharashtra, Mumbai in his reply dated 9.11.2015 informed that on 20.6.2015 a complaint was reported by Shri Rajesh Koparkar, resident of Parsodi, District Wardha that his village folks informed him that an unidentified dead body is lying near the railway line in a totally burnt state. Hence the complainant physically went to check the above news at the railway line. According to him, the complainant saw an unidentified dead body in a totally burnt state lying near the Reliance railway line. As the name and other details of the dead person were not known at that time, an A.D. Case No.11/2015 under Section 174 Cr.PC. was registered. During the investigation, it came to light that the unidentified burnt body was of Shri Sandeep Prakash Chandra Kothari. The body was identified by the brother of deceased, Shri Navin Prakashchandra Kothari, resident of Katangi. He further informed that the body of deceased was sent for post-mortem to General Hospital, Wardha. During further investigation, it was learnt that the deceased, Shri Sandeep Kothari was kidnapped and murdered and his burnt body was found in the jurisdiction of Sindi Railway Police Station. Hence, an A.D. Case No.11/2015 u/S 174 DIC was registered with Sindi PS, District Wardha. The AD Case No.11/2015 registered at Sindi Railway Police Station was then transferred to Katangi Police Station,

Distt. Balaghat in Madhya Pradesh along with all relevant documents for further investigation. The detailed investigation in the death of the deceased is being carried out by Madhya Pradesh Police.

The Assistant Inspector General of Police (Cr.), M.P., Bhopal vide his reply dated 23.12.2015 informed that a report was received from Superintendent of Police, Balaghar with regard to murder of Shri Sandeep Kothari. A case No.267/15 under Section 365, 323, 506, 34 IPC was registered on the complaint of Shri Lalit with regard to kidnapping of Shri Kothari. He further informed that the accused killed Shri Kothari and burnt his body, therefore, Section 302, 201 IPC was also mentioned in the matter. During investigation, along with Shri Brijesh Daharwal 07 accused were arrested and a charge-sheet was filed and the case is being investigated under Section 173(8).

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 15.3.2016 at New Delhi. Smt. Smita Patil, Additional S.P., Wardha, M.S. and Shri V.V. Moharle, PI, Sindi Railway Station, M.S. appeared for the respondent.

Attention of the Council was drawn by several members about the murder of journalist, Shri Sandeep Kothari. The Council took suo-motu cognizance of the matter and called for report from the police. A report has been received from the Assistant Inspector General of Police, M.P., Bhopal inter-alia stating that chargesheet u/s 302/301 IPC has been filed and seven persons have been arrested in the case.

In view of the aforesaid, the Inquiry Committee is of the opinion that no further action needs to be taken in the matter. However, the Inquiry Committee would direct the Assistant Inspector General of Police, M.P. to send quarterly report of the progress in the case to the Council. The Inquiry Committee recommended to the Council to dispose of the complaint in the aforesaid terms.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and decided to **dispose of** the complaint with aforesaid directions.

PRESS COUNCIL OF INDIA

Sl. No.5

File No.13/104/15-16-PCI

Orders/Instructions issued by the Union Home Ministry restraining the bureaucrats from sharing information with journalists-reg.

Adjudication

Dated:10.6.2016

Having come across news reports that Union Home Ministry had issued instructions restraining the bureaucrats from sharing information with journalists, the Secretary, Ministry of Information & Broadcasting, Government of India, New Delhi vide Press Council's letter dated 19.8.2015 was requested to file response on the issue by giving facts of the case.

The Ministry of Information & Broadcasting, New Delhi vide its letter dated 6.10.2015 forwarded a copy of the response dated 21.9.2015 of Ministry of Home Affairs.

Shri Surojit Ghosh, Under Secretary to Govt. of India, Ministry of Home Affairs (MHA), New Delhi vide his response dated 21.9.2015 while forwarding a copy of the MHA's Office Memorandum dated 23.7.2015 stated that the ADG (Media)/MHA was designated as the single point for dissemination of all publicity material to the Media including clarifications sought by the media. He further informed that the MHA already clarified to the Media persons that the said Office Memorandum was issued only to regulate flow of information to Media persons from the Ministry by converging the points of dissemination.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 15.3.2016 at New Delhi. Shri Kuldeep Singh Dhalwalia, Additional DG and Shri J.B. Sharma, Dy. Secretary (Admin), PIB appeared.

One of the objects for which the Council has been constituted is to keep under review any development likely to restrict the supply and dissemination of news of public interest and importance. Various news items have been published terming the Office Memorandum dated 23rd July, 2015 of the Ministry of Home Affairs as gag order. The Council took suo-motu cognizance of the matter and called upon the respondents to file their reply. The representative of the Ministry of Home Affairs as also the Information & Broadcasting are present. They have stated that the Office Memorandum aforesaid was issued for streamlining the dissemination of news. They have also assured that the Government will not act in any manner detrimental to the Journalists in collecting the information of public interest. In fact, they have stated that the Government will facilitate them in collecting information which are in public interest.

In view of the aforesaid, the Inquiry Committee is not inclined to proceed further in the matter and accordingly recommends for closure of the matter.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decided to **close** the case.

Press Council of India

Sl. No. 6

File No.13/188/14-15-PCI.

Complainants

Shri Umesh Kumar Shukla,
District Correspondent,
Pragya Times,
Barabanki (U.P.).

Vs.

Respondents

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

The Director,
Information & Public Relations
Department,
Government of U.P.,
Lucknow (U.P.).

The Assistant Director Information,
Barabanki,
(U.P.).

Adjudication

Dated:10.6.2016

This complaint dated 10.2.2015 was filed by Shri Umesh Kumar Shukla, District Correspondent, Pragya Times, Barabanki (U.P.) against Information & Public Relations Department, Government of U.P., Lucknow for allegedly cancelling Press Accreditation Card. According to the complainant, he applied for Press Accreditation Card along with all relevant documents to the office of Information & Public Relations Department, Lucknow and its copy was also provided to the District Information Office (DIO), Barabanki on 10.11.2014. The complainant further informed that his application form was sent by the DIO to the Superintendent of Police, Barabanki for L.I.U. Report on 15.11.2014 evening but the L.I.U. Report was not sent back to the DIO office on account of weekly off (Sunday). The L.I.U. Report was sent by the Superintendent of Police, Barabanki to the DIO on 17.11.2014. The complainant informed that the meeting of the Press Accreditation Committee was to be held on 17.11.2014 at Lucknow but his L.I.U. Report was not produced with his application before the Press Accreditation Committee due to which his application was cancelled due to absence of L.I.U. report. He has requested the Council to pass the order for issuance of his Press Accreditation Card.

Notices for Comments were issued to the respondent-Government of Uttar Pradesh on 1.4.2015.

Comments of Asstt. Director Information, Barabanki

The Assistant Director Information, Barabanki vide his comments dated 23.4.2014 informed that an application was filed by the complainant for Press Accreditation Card on 11.11.2014 and the same was sent to Superintendent of Police, Barabanki on 14.11.2014 for providing L.I.U. Report immediately to their office and the same was received back on 17.11.2014 from the Superintendent of Police. According to the respondent, total 19 matters of Press Accreditation Card were placed before the meeting of Press Accreditation Committee held on 17.11.2014 for consideration and complainant's application was rejected due to absence of L.I.U. Report. The respondent further informed that thereafter an appeal was sent to the Principal Secretary Information Department, Lucknow on 10.2.2015 for reconsidering the decision of the Press

Accreditation Committee and in response thereto, he was directed vide letter their dated 24.3.2015 to place the complainant's matter before the Committee in its next meeting.

Comments of Director, I&PRD

The Information Director, Information & Public Relation Department, Lucknow vide his comments dated 22.5.2015 informed that the Press Accreditation Committee in its meeting held on 17.11.2014 decided to cancel the application of the complainant due to lack of L.I.U. report. He further informed that the complainant's L.I.U. Report was received in their office on 24.4.2015 through Assistant Director Information, Barabanki letter dated 23.4.2015 and the same will be placed before the Committee in its next meeting and further action will be decided accordingly.

Counter Comments

The complainant vide his counter comments dated 10.11.2015 while reiterating his complaint stated that his application submitted on 10.11.2015 was deliberately kept pending by the ADIO for five days as the meeting of the Press Accreditation Committee was held on 15.9.2015 and if the Committee accepts his application and issue his press accreditation card, he will withdraw his complaint.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 15.3.2016 at New Delhi. Shri Umakant Vajpayee, editor appeared for the complainant while Shri Atul Mishra, Assistant Director (Information) appeared for the respondent.

It is the grievance of the complainant that his application for accreditation is pending for consideration. From the reply of the respondent, it seems that the prayer of the complainant for accreditation was considered by the Committee on 17.11.2014 and his prayer was not acceded to as LIU report was not available. It has further been stated that the application of the complainant for accreditation shall be considered in the next meeting of the Accreditation Committee.

When the matter is taken up by the Inquiry Committee, a letter dated 12.3.2016 written by the District Information Officer to the Director, Information & Public Relation Department has been placed on record. From the perusal of the said letter it seems that the prayer of the complainant has been rejected on the ground that the complainant is working on honorarium basis.

As the matter has been decided by the Committee, the Inquiry Committee is not inclined to go in the validity of the said Order in the present proceedings. The complainant, if so advised, may challenge the same in accordance with law. He, so chooses, may file a fresh application for accreditation. The Inquiry Committee recommended to the Council to dispose of the complaint on the aforesaid terms.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts reasons findings and adopts the report of the Committee and decided to **dispose of** the complaint on the aforesaid terms.

Press Council of India

Sl. No. 7

File No. 13/32/15-16-PCI

Shri Kanahiyalal Vishvakarma,
Editor, BundelkhandChetna,
Lalitpur, U.P.

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

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

Shri Ratan Singh,
Railway (Gangman),
Lalitpur

The District Magistrate,
Lalitpur, U.P.

The Superintendent of Police,
Lalitpur, U.P.

Adjudication

Dated:10.6.2016

Shri Kanahiyalal Vishvakarma, Editor, Bundelkhand Chetna, Lalitpur, U.P. addressed a complaint dated 25.4.2015 to the Inspector-in-Charge, PS Kotwali Sadar, Lalitpur, U.P. and endorsed a copy to the Press Council of India. Shri Kanahiyalal Vishvakarma in the complaint made an allegation on one Shri Ratan Singh and others for mis-behaving and threatening him. He further made an allegation on the police for not taking any action on it. According to him, Shri Ratan Singh, who is posted in the Railway Section as gangman, has been threatening him for which he has registered a complaint bearing NCR No. 143/14 u/s 352/504 IPC on 22.6.2014 in PS Kotwali, Lalitpur and upon which the CJM, Lalitpur Court has passed an investigation order on 30.9.2014 but no chargesheet has been filed by the police in the Court in this regard. The complainant further informed that the opposite party on 24.4.2015 morning abused him and also threatened to kill him. He informed about the said incident immediately to the SHO, Nehru Nagar PS and Shri Rambabu Yadav, Station Incharge initiated investigation in this matter. The Complainant alleged that the police gives protection to the criminals and by implicating him in false cases harassed him and maligns his profession of journalism. The complainant further informed that he has been continuously publishing the news item against the working of the police due to which the Circle Officer, Sadar, Shri Surat Singh Chauhan has been hounding him.

The complainant vide his further letter dated 15.6.2015 has alleged that the SHO, PS KotwaliLalitpur detained him as a reprisal measure and release him only after the intervention of other journalist. He further alleged that the other respondent Shri Ratan Singh keep on misbehaving with him and he has also made a complaint about this to the higher officials of police but the Circle Officer, Shri Surat Singh stop the police from taking any action.

The complainant vide his another letter dated 30.6.2015 addressed to the Superintendent of Police, Lalitpur and endorsed a copy to the Press Council of India while reiterating his complaint has produced a copy of the Order dated 19.5.2015 issued by the Hon'ble High Court of Allahabad in a Criminal Misc. Writ Petition No. 12163 of 2015 in the matter of the Shri Kanahiyalal and four Others vs. Govt. of U.P. and two others.

It is pertinent to mention here that the Council vide its earlier adjudication dated 15.11.2013 on the same subject matter directed the Superintendent of Police, Lalitpur to initiate the proceeding for stoppage of the harassment of the complainant and to dispose of the matter accordingly.

A letter dated 24.7.2015 was issued to the respondents with a request to file an Action Taken Report on the Adjudication of the Council dated 15.11.2013.

Reply from The District Magistrate, Lalitpur

In response to the Council's letter dated 24.7.2015, the District Magistrate, Lalitpur vide his letter dated 17.8.2015 addressed to Deputy Secretary, Government of U.P. and a copy endorsed to the Council has informed that the matter was got investigated by the Superintendent of Police, Lalitpur who has submitted his Report dated 10.8.2015 in which it has been mentioned that as per the report of the Circle Officer (City), Lalitpur the complainant had purchased a plot from Smt. Gaytri Sharma in the North direction of his old plot on 18.9.2010. The same plot was also purchased by Shri Zahar Singh from Shri Sitaram on 1.3.2012 due to which there was a dispute between both the parties. It has been further mentioned that after the judgment of Hon'ble Court, no interference has been made by the opposite party and the complainant is in absolute possession of the plot and an inhibitory action had been initiated against both the parties. The Circle Officer (City), Lalitpur in his report further stated that the allegation made by the complainant on Shri Ratan Singh and others of abusing and assault has not been confirmed but despite that a direction to the Inspector-in-Charge has been issued to keep an eye on both the parties and to maintain peace between them. The respondent alleged that the complainant is habitual of filing new complaints with different allegations.

Counter Comments

The complainant in his counter comments dated 14.10.2015 while reiterating his complaint has stated that the averments of the respondents- the District Magistrate, Lalitpur and the Superintendent of Police, Lalitpur were false and baseless. He alleged that the respondents neither initiated any investigation nor informed him about the investigation. He further alleged the Investigation Report dated 17.5.2015 filed by the Circle Officer, Sadar, Lalitpur is false and the Superintendent of Police has protected the accused by treating the Report as correct.

Reply from ADM, Lalitpur

In response to the Council's letter dated 27.10.2015, the respondent-Additional District Magistrate, Lalitpur vide his letter dated 8.1.2015 has submitted that the police has already taken necessary action in the matter. He has further stated that the dispute between the complainant and other party is related to a plot and no further action by the police is required in the matter. He has furnished the report of the Superintendent of Police, Lalitpur along with all the relevant enclosure.

Reply of the Complainant

In response to the Council's letter dated 4.2.2016, the complainant vide his letter dated 10.2.2016 has submitted that the ADM, Lalitpur in his reply has not given any factual statement but about a plot dispute. In his reply, the ADM has not made any statement in respect of Ratan Singh Bundela while the criminal incidents of accused Ratan Singh is increasing day by day. An FIR No. 143/15 u/s 352/504 IPC in this regard was also registered in PS Kotwali, Lalitpur. He alleged that he made several complaints before the police but the police always protected the accused. He further alleged that he is being mentally and physically harassed.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 15.3.2016 at New Delhi. Shri Kanahiyalal Vishvakarma, the complainant appeared in person. Shri Manoj Kumar, SI and Shri Ratnakar Singh, SDM appeared for the respondents.

The Inquiry Committee has heard the complainant as also the representative of District Magistrate and Superintendent of Police. The District Magistrate in his report has stated that the Inspector-in-Charge of the Police Station has assured to keep an eye on both the parties and to maintain peace between them.

In view of the aforesaid, the Inquiry Committee is satisfied with the direction given by the District Magistrate and is therefore not inclined to proceed further in the matter. It recommended the Council to dispose of the complaint accordingly.

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 decided to **dispose of** the complaint.

PRESS COUNCIL OF INDIA

Sl. No.8

F.No.13/93/15-16-PCI

Shri Kumar Dev,
Sub-Editor, Yug Bandhu,
Moradabad.

The President,
Moradabad Development Authority,
Moradabad.

Adjudication

Dated:10.6.2016

This complaint dated 4.8.2015 was filed by Shri Kumar Dev, Sub-Editor, Yug Bandhu, Moradabad against the President, Moradabad Development Authority (MDA) for alleged discriminatory attitude towards his newspaper. According to the complainant, the Central Government (DAVP) and State Government of Uttar Pradesh (UPID) long back fixed advertisement rates of newspapers according to certain norms. Yug Bandhu and Uttar Kesari were assigned the same rate as these both come under one category. The complainant has alleged that the respondent-MDA discriminately increased the advertisement rates of Uttar Kesari from Rs.70/-(already inflated) to Rs Rs.140/- whereas the advertisement rates to his newspaper Yug Bandhu with 34 years standing blocked at Rs.35/- only (4 times lesser than Uttar Kesari). The complainant has informed that no action has been taken by the respondent despite repeated reminders. He has requested the Council to take necessary action in the matter.

Notice for Comments was issued to the respondent on 20.8.2015.

Respondent's reply dated 3.10.2015

In response to the Council's Notice for Comments dated 20.8.2015 the respondent vide his letter dated 3.10.2015 filed his comments and stated that according to the governments notification advertisement rates has been fixed for the various newspapers in accordance with the DAVP rates and the DAVP rate for aforesaid newspaper category is Rs.13.49 per cm. and they are paying him Rs.35.00 per cm.. He has further stated that a letter has been written to the District Information Officer for circulation of the said newspaper.

Counter Comments

The complainant vide letter dated 27.10.2015 filed his counter comments in the matter and submitted that DAVP rate for all the newspapers are same but his papers gets Rs.35/- per cm. and Uttar Kesari gets four times higher i.e. Rs.140/- per cm. The complainant submitted that the respondent in his comments stated that vide government notification rates are fixed for all the newspapers then why Uttar Kesari is being given higher rates. He has further submitted that his newspapers circulation can be seen on the website. The complainant requested the Council to give him justice.

Reply of Additional Secretary, MDA dated 8.12.2015

In response to the Council's letter dated 9.11.2015 the respondent Additional Secretary, Moradabad Development Authority stated that MDA releases advertisements to the newspapers who have wider readership in the area and in that Amar Ujala, Dainik Jagran and Hindustan are on top. The complainant's newspaper having two pages and his readership is merely 15600 and therefore it is not feasible for them to increase the

rate of advertisements. The Authority time to time releases advertisements to the newspaper.

Complainant's letter dated 11.1.2016

The complainant vide his letter dated 11.1.2016 submitted his reply on the comments filed by Under Secretary, MDA dated 30.12.2015 in which he has stated that four months have lapsed after filing the complaint before PCI and till date MDA has not issued any advertisement to the complainant's newspaper but other newspapers hence received advertisements continuously during that period. He has requested for justice by seeking information from the MDA with regard to the points mentioned in their reply.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 15.3.2016 at New Delhi. Shri Ram Sharma, Advocate appeared for the complainant while Shri C.P. Tripathi, Additional Secretary, Moradabad Development Authority appeared on behalf of the respondent.

The Inquiry Committee has heard the complainant as also the representative of the Moradabad Development Authority. The complainant makes a grievance in discrimination of the advertisements rates of his newspaper. It is the contention of the complainant that his newspaper is paid advertisement at the rate of Rs. 35/- per cm whereas newspaper Uttar Kesari rate is fixed at Rs. 130/- per cm. This difference in the rate of advertisements, according to the complainant, is discriminatory. The Additional Secretary of Moradabad Development Authority, who is present before the Committee, states that the complainant's newspaper 'Yug Bandhu' is an evening daily newspaper and consist of four pages and is published from Moradabad whereas the newspaper 'Uttar Kesari' is a morning daily newspaper consisting of eight pages and is publish from Moradabad and is circulated in other states also. From that, the submission of the respondent authority is that the two newspapers cannot be compared and the allegation of discrimination is absolutely misconceived. The Inquiry Committee has considered the submission of the party and is of the opinion that the allegation of discrimination made by the complainant is absolutely misconceived. It recommended to the Council to dismiss the complaint accordingly.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts reasons findings and adopts the report of the Committee and decided to **dismiss** the complaint.

Press Council of India

Sl. No.9

File No.13/94/15-16-PCI.

Complainants

Shri Kamlesh Kumar,
Editor/Publisher,
Yugbandhu,
Moradabad (U.P.).

Respondents

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

Shri Deepak Agrawal, IAS,
District Magistrate/Chairman,
District Agriculture Development and
Cultural Exhibition,
Office of the District Collector,
Moradabad (U.P.).

Shri Yashraj Singh,
District Agriculture Officer,
Moradabad (U.P.).

Adjudication

Dated:10.6.2016

Shri Kamlesh Kumar, Editor/Publisher, Yugbandhu, Moradabad (U.P.) filed this complaint dated 4.8.2015 against Shri Deepak Agrawal, IAS, District Magistrate/Chairman, District Agriculture Development and Cultural Exhibition, Moradabad and Shri Yashraj Singh, District Agriculture Officer (DAO), Moradabad for non-payment of advertisement bills. According to the complainant, the DAO informed him over telephone on 3.8.2015 that bills of Rs.15,000/- (Rs.10,000+Rs.5,000), which were regularly paid to him since last several years in connection with publication of advertisements, remained unpaid this year on the direction of the District Collector/Chairman, Exhibition. The complainant submitted that he drew the attention of the DM, Moradabad in this regard but received no response. According to the complainant, a news item was published in his newspaper in its issue dated 13.6.2015 under the caption "जिगर मंच पर कुख्यात आतंकी का महिमा मंडन" and it appeared that the respondents has perhaps taken this step as a reprisal measure which is an attack on freedom of press. He has requested to take necessary action in the matter.

Notices for Statement in reply were issued to the respondents on 30.9.2015

Written Statement

Shri Yashraj Singh, District Agriculture Officer, Moradabad, U.P. vide his reply dated 10.3.2016 submitted that no advertisement for which the bills have been raised was ever given to the complainant for publication by their department directly to Yugbandhu or through Information Department.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 15.3.2016 at New Delhi. Shri Ram Sharma, Advocate appeared for the complainant while Shri Sachin Chaudhary, Prabhari Exhibition, Moradabad appeared for the respondent.

The Inquiry Committee has heard the complainant as also the representative of the respondent. It is the grievance of the complainant that advertisement bill of Rs. 15,000/- has not been paid to him at the instance of the District Magistrate due to publication of the news item on 13.6.2015. In the reply thereto, the assertion of the respondent is that no advertisement for which the bills have been raised was ever given to the complainant for publication and therefore, the amount claimed by the complainant cannot be released in his favour. This is not disputed by the complainant but he relies on the past practice.

In the absence of any contract between the complainant and the respondent, the Inquiry Committee is not inclined to give any direction to the respondent to disburse the amount claimed by the complainant. It recommended to the Council to dismiss the complaint accordingly.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and decided to **dismiss** the complaint.

Press Council of India

Sl. No.10

File No.13/161/14-15-PCI

Communications received from Shri Prakash Dubey, Member, Press Council of India regarding murderous attack on Shri Yunus Khan, Editor, Neer Sindhu, Vidisha (M.P.).

Adjudication

Dated:10.6.2016

Shri Prakash Dubey, Member, Press Council of India vide his email dated 2.2.2015 forwarded a copy of the memorandum dated 30.1.2015 addressed to the Governor of Madhya Pradesh by Madhya Pradesh Shramjivi Patrakar Sangh with regard to murderous attack on Shri Yunus Khan, Editor, Neer Sindhu and Reporter of Bharat Samachar News Channel by Shri Premshankar Sharma, Director of a school and his associates due to publication of critical news. Shri Khan, the victim later expired on 28.1.2015.

The Chief Secretary, Secretary, Home (Police) Department, Govt. of M.P., DGP Madhya Pradesh, District Collector, Raisen and Superintendent of Police, Raisen were requested vide Council's letter dated 19.2.2015 to furnish Report in the matter.

Vide Council's letter dated 19.10.2015, District Collector, Vidisha and Superintended of Police, Vidisha were requested to file the report in the matter.

Report of Superintendent of Police, Vidisha

The Superintendent of Police, Vidisha vide his investigation report dated 15.11.2015 informed that on the verbal complaint of Shri Yunus Khan a case No.11/15 under Section 294, 323, 506, 342, 34 IPC was registered in Police Station Civil Lines on 7.1.2015 against Shri Prem Shankar Sharma and others. He further informed that Shri Khan was also admitted in District Hospital on the same day for medical examination and treatment. He was discharged from the hospital on 9.1.2015. The respondent stated that doctor referred total five normal injuries in medical report. He also informed that the accused Shri Prem Shankar Sharma and Smt. Archana Sharma had been arrested in the matter.

According to the respondent, Shri Yunus Khan was admitted in District Hospital on 28.1.2015 again by his family members due to heart-attack where he was declared died during treatment. On an enquiry made by the SHO, Civil Lines, the reason of death i.e. Myocardial Infarct (Heart-Attack) given by the doctors. The doctors were also asked to clarify the possibility of the death of the Shri Khan due to his previous injuries. In response thereto, the doctor submitted that the injuries of Shri Khan were 21 days old and it is not possible for death due to normal injuries. He stated that there was clear evidence in hospital records that Shri Khan died due to heart-attack on 28.1.2015.

The respondent informed that all accused have been arrested and after investigation a Challan No.35/15 dated 19.2.2015 was placed before Hon'ble Court and a Case No.277/15 dated 19.2.2015 in this regard is pending consideration before court of law. The respondent stated that Shri Khan was died due to heart attack on 28.1.2015 and there is no relevance with the above referred case.

Response from Upper Collector & Additional Judge, Raisen

The Upper Collector & Additional Judge, Raisen vide his letter dated 14.3.2016 submitted the information received from the Superintendent of Police, Raisen and Assistant Convenor, Information, Raisen regarding the incident.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 16.3.2016 at New Delhi. There was no appearance on behalf of the complainant while Shri Sanjeev Kr. Singh, Addl. S.P. appeared for the respondent.

The Council had taken suo-motu cognizance in the matter on the basis of the communication received from one of its members. It seems that one journalist namely Yunus Khan died on 28.1.2015. It was alleged that he was beaten to death. A report was called for from the Superintendent of Police. In his report, the Superintendent of Police has stated that from the oral statement of the deceased Yunus Khan, a case was registered u/s 294/323/506/342/34 IPC at Civil Lines Police Station on 7.1.2015 against Shri Prem Shankar and others. According to the report, Shri Khan was admitted in District Hospital on same day and discharged on 9.1.2015. It has been further stated that Shri Khan was admitted in Hospital again on 28.1.2015 and died on the same day because of Myocardial Infection (Heart Attack). The doctor has opined that Shri Khan had died because of Myocardial Infection and possibility of his death appears on account of injury sustained on him on 7.1.2015, was not possible. It has been further stated that accused person found guilty in the case and also been chargsheeted.

The Inquiry Committee considered the facts and circumstances of the case and is of the opinion that as the police had submitted the chargesheet against the accused person, no further action is needed. However, the Inquiry Committee makes it clear that it is for the Court concerned to consider this aspect in case such a prayer is made before it. The Inquiry Committee recommends for closure of the case with aforesaid observations.

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 decided to **close** the complaint as above.

Press Council of India

Sl. No. 11

File No.13/124/14-15-PCI.

Complainants

Shri Ram Kumar Sharma (Mulle),
Editor/Publisher,
Janoria Weekly,
Bhind (M.P.)

Vs.

Respondents

The Secretary,
Government of Madhya Pradesh,
Bhopal.

The Director,
Information & Public Relations
Department,
Government of Madhya Pradesh,
Bhopal.

Shri Samarjit Singh Chauhan,
Assistant Director,
Public Relations Advertisement
Branch,
Government of Madhya Pradesh,
Bhopal (M.P.).

Adjudication

Dated:10.6.2016

This complaint dated 8.11.2014 was filed by Shri Ram Kumar Sharma (Mulle), Editor/Publisher, Janoria Weekly, Bhind (M.P.) against Shri Samarjit Singh Chauhan, Assistant Director, Public Relations Advertisements Branch, Government of Madhya Pradesh, Bhopal (M.P.) alleging that due to animosity, his paper is being issued advertisements at low with an intention to financially harm him. According to the complainant, the advertisements amounting to Rs.20,000/- were issued by the respondent-Directorate vide order dated 19.2.2014 and thereafter they issued advertisements only amounting to Rs.10,000/- vide Order dated 30.6.2014. The complainant alleged that the respondent maliciously issued advertisements of smaller amount with a view to put financial loss to him, while the ex-Public Relations Minister passed order dated 24.6.2014 for increasing of advertisements to his newspaper. The allegation of misbehaviour and using of unparliamentary language also levelled against the respondent by the complainant. He has requested the Council to enquire into the matter.

Notices for Comments were issued to the respondent-Government of Madhya Pradesh on 4.2.2015.

Comments

Shri Lajpat Ahuja, Director, Directorate of Public Relations, Government of Madhya Pradesh, Bhopal vide his comments dated 16.3.2015 while denying the allegations levelled by the complainant has stated that the complaint is false and baseless. He informed that Hon'ble Public Relations Minister does not pass any direction relating to advertisement amount on the application submitted by any newspaper/magazine. He further informed that the referred amount in order No.75262 dated 19.2.2014 issued to the complainant was duly approved after taking into account the circulation of newspaper and all other aspects. While appreciating the Assistant Director, Shri Samrjit Singh Chauhan, the respondent stated that issuance of advertisements does not come under the jurisdiction of Shri Chauhan. The respondent submitted that on the request of the complainant advertisements were issued to him in January, 2015 amounting to Rs.10,000/- and before that advertisements were also being regularly issued to him as per rules. He has stated that due to implementation of code of conduct on the occasion of Establishment Day of the State, the advertisements could not have been issued to any newspaper/magazine. He also produced a copy of the comments of Shri Samarjit Singh Chauhan, Assistant Director, Public Relations wherein he while denying the allegation of the complainant has stated that issuance of advertisements to any newspaper/magazine is not under his jurisdiction. He further stated that he receives numerous applications for display advertisements, he cannot recognize any individual and in these circumstances he is not aware about the complainant's motivation for filing this complaint.

Counter Comments

The complainant in his counter comments dated 12.5.2015 while reiterating his complaint has stated that his complaint was directed against Shri Samarjit Singh Chauhan for being prejudiced towards him. He alleged that the respondent-Director filed his reply in distorted manner and has also concealed the facts. He has requested the Council to take action against the respondent.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 16.3.2016 at New Delhi. There was no appearance on behalf of the complainant while Shri Mukesh Dubey, Assistant Editor appeared for the respondent.

Despite service of notice, the complainant has not chosen to appear. The respondent has represented before the Inquiry Committee. The grievance of the complainant that earlier by order dated 19.2.2014, advertisements worth Rs. 20,000 was given to the newspaper whereas later on 30.6.2014, advertisements of Rs. 10,000 was only given and such action of the respondent is arbitrary on the contrary, the plea of the respondent, however, is that the amount is allocated on the basis of the budgetary provision and taking into account the same, advertisements amounting to Rs. 10,000 was released in favour of the complainant newspaper as also other similarly placed newspapers. The Inquiry Committee, on consideration of the aforesaid plea, is of the opinion that action of the respondent cannot be termed as arbitrary. The Inquiry Committee recommended to the Council to dismiss the complaint accordingly.

The Inquiry Committee directs that the Secretary of the Council shall write a letter to the Government impressing upon the later to consider and frame guidelines in the light of the model guidelines framed by the Press Council of India at the earliest.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts reasons and decided to **dismiss** the complaint.

Press Council of India

Sl. No. 12

File No. 13/151/15-16-PCI

Shri Vijay Kumar,
Editor, Ashoka Express,
New Delhi.

The Chief Secretary,
Government of National Capital
Territory of Delhi,
Delhi

The Secretary,
Home (Police) Department,
Government of National Capital
Territory of Delhi, Delhi.

The Commissioner of Police,
Delhi Police, Delhi.

S.H.O.
Police Station Sultanpuri,
New Delhi

Adjudication

Dated:10.6.2016

This complaint dated 26.10.2015 has been is filed by Shri Vijay Kumar, Editor, Ashoka Express, New Delhi against police officials for harassing him. The complainant alleged that due to publication of some critical writings in his newspaper the respondent lodged a false FIR against him. The complainant submitted that he also apprised the Government and higher officials of Police about illegal activities in the area. Annoyed with the publications, police Inspector, Sultanpuri filed a defamation case against him. The respondent threatened to implicate him in other false cases.

The complainant vide his further letter dated 9.1.2016 informed the Council that he has been publishing news in his newspaper against drug-mafia time to time and also bring it to the knowledge of Hon'ble Supreme Council, High Court, NHRC, Prime Minister's Office as well as the Commissioner, DCP and other higher officers. He further stated that he was asked to report to the Police Station, Sultanpuri by the SHO. The complainant went to the police station along with his family where he was made to sit for quite long and was intimidated and threatened him by saying that he does not know the power of the police and it is upto the police that they can implicate him in false cases. The complainant has further alleged that by way of misusing the power and position and the provisions of Cr. P.C. they implicated him and his family in false cases. According to the complainant, he is unable to publish any news related to the illegal activities. He has requested the Council to take necessary action in the matter.

A further letter dated 15.2.2016 has been received from Shri Vijay Kumar, Editor, Ashoka Express, New Delhi stating that he has been publishing his newspaper for last 19 years and belong to Baudh community. He further reiterated that Ashoka Express has been publishing news against drug mafia time to time and alleged that S.I. Ms. Anju Dahiya threatened him by calling from her mobile no. 9711118234. The complainant requested the Council to protect him from S.I. Ms. Anju Dahiya.

No Written Statement

A Notice for Statement in Reply was issued to the respondents on 18.11.2015 followed by a reminder dated 1.2.2016 but no reply has been received so far. The final reminder was sent on 28.3.2016.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 11.4.2016 at New Delhi. Shri Vijay Kumar Bharti, complainant appeared in person alongwith Shri Gopal Krishna, Clerk. Shri Darde Sharad Bhaskar, ACp, Sultanpuri and Shri Dinesh Daliye, Sub-Inspector, PS, Sultanpur appeared for the respondent. Shri Sharat Kohli, respondent sought adjournment in the matter as he has to appear in a case at Rohini Court.

It is the allegation of the complainant that because of his critical writings he has been threatened to be implicated in false cases. The Inquiry Committee has heard the complainant as also the police officers and it seems that there is dispute between the complainant and his neighbour and on the basis of the information given by the neighbour, cases have been registered against the complainant.

The Inquiry Committee is of the opinion that the allegation made by the complainant is misconceived and accordingly recommends for the dismissal of the complaint.

It is a common ground that there is a drug element in the area. The police instead of having confrontation with the newspaper should have taken it as a positive input to a combination.

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 decided to **dismiss** the complaint.

Press Council of India

Sl. No.13

File No.13/87/15-16-PCI.

Complainants

Ms. Sonali Jindal,
Correspondent, TV24 and
Press Reporter, Seema Sandesh,
Kotkapura,
Faridkot (Punjab).

Respondents

Vs.

The Chief Secretary,
Government of Punjab,
Chandigarh.

The Secretary,
Home (Police) Department,
Government of Punjab, Chandigarh.

The Director General of Police,
Punjab Police, Chandigarh.

The District Collector,
Faridkot (Punjab)

The Sr. Superintendent of Police,
Faridkot (Punjab)

The Superintendent of Police,
Faridkot (Punjab)

The Station House Officer,
Police Station-Kotkapura City,
Faridkot (Punjab)

Shri Jagtar Singh,
Owner, Indian Oil Petrol Pump,
Faridkot (Punjab)

Shri Dharamveer Bhalla,
Faridkot (Punjab)

Shri Ramesh Kumar,
Owner, Hoshiarpur Oil Store,
Faridkot (Punjab)

Smt. Anita,
W/o Shri Ramesh Kumar,
Hoshiarpur Oil Store,
Faridkot (Punjab)

Adjudication

Dated:10.6.2016

This complaint dated 22.7.2015 was filed by Ms. Sonali Jindal, TV Correspondent of TV 24 and Press Reporter of Seema Sandesh, Kotkapura, District Faridkot (Punjab) against Shri Jagtar Singh, Owner of a Petrol Pump for allegedly misbehaving, abusing, manhandling and registering false case against her and her cameraman-Shri Sunil Jindal with the connivance of the police during coverage of news. According to the complainant, on 30.6.2015 they were covering the news regarding adulteration of Petrol in the petrol pumps. Annoyed with this, the owner of petrol pump with his associates began misbehaving and used unparliamentary language with them and also tried to damage the camera. The complainant further informed that during this episode four police persons in plain clothes along with a lady police officer came there and took them to Police Station, City Kotkapura where SHO-Shri Narendra Singh also misbehaved and snatched their camera, cassettes, ID cards, other documents etc. and detained them illegally. According to the complainant, the SHO communicated the matter to other DSP-Shri Baljit Singh Sidhu over telephone, who ordered him for not releasing them till his further order. The complainant alleged that the police forcefully took their signatures on plain papers and thereafter released them at night. The complainant submitted that the entire episode was telecasted on news channel and also published in the newspaper and provided a CD in this regard. The complainant further stated that the Indian Oil Company at Bhatinda and Faridkot were apprised about the malpractice prevailing in the said petrol pump and they assured them for taking necessary action in the matter. The complainant further stated that next day Union Secretary of Petrol Pump and his wife and associates again threatened to implicate her in false cases and therefore they filed a WP CRM/M/23279 dated 13.7.2015 before Hon'ble Punjab & Haryana High Court, which was decided on 20.7.2015. The complainant informed that a false FIR No.126 dated 20.7.2015 under Section 384/120B-IPC was registered against them in the Police Station Kotkapura. The complainant further informed that they wrote several letters to the higher authorities but no cognizance action was taken.

Notices for Statement in Reply were issued to the Government of Punjab including prime respondents on 5.10.2015.

Written Statement of respondent-Shri Dharamveer Bhalla

The respondent-Shri Dharamveer Bhalla vide his written statement dated 26.11.2015 described the complainant and her two brothers as corrupt and blackmailers. He further stated that Sonali Jindal is one of members of a fraud gang and also using her name as Dr. Sonali Jindal to cheat innocent people. While denying the allegation levelled against him by the complainant, he submitted some documents in his support of his contention and requested to the Council conduct an enquiry in the matter.

Written Statement from Deputy Commissioner, Faridkot

The Deputy Commissioner, Faridkot in his reply dated 8.4.2016 stated that the matter was investigated from the SSP, Faridkot who reported that the SHO City Kotkapura was deputed for verification of the aforesaid complaint. The SHO, City Kotkapura in his report stated that a case was registered u/s 384/120B of IPC against Ms. Sonali Jindal, Shri Pratap Singh and others. Offenders had already been arrested and challan is under process. As per the report, Ms. Sonali Jindal filed an application with affidavit of compromise in this case and insisted to close the case but the police suggested her that they have no right to close case and she can go to the Hon'ble Court. The SSP recommended to file the complaint.

No Written Statement from Other Respondents

No written statement from other respondents was received despite issuance of reminder dated 18.1.2016.

Complainant's reply

The complainant vide her letter dated 2.4.2016 submitted that she had entered into a compromise with Shri Jagtar Singh, Owner, Indian Oil Petrol Pump, Faridkot, Punjab and Shri Ramesh Kumar, Owner, Hoshiarpur Oil Store,, Faridkot, Punjab (respondents) but not with Shri Dharamveer Bhalla, Faridkot, Punjab (one of the respondent). She submitted that the son of Shri Dharamveer Bhalla informed her on affidavit that his father (i.e. Shri Dharamveer Bhalla) is habitual of making complaints and his father always remain in depression and used to quarrel at home also. His son also stated that no demand of money had ever been raised by the Journalist, Sonail Jindal, Sunil Jindal and Rana Pratap and also no money was given by them. She filed an affidavit inter alia stating that she does not want to proceed her complainant against Shri Jagtar Singh and Shri Ramesh Kuma as the matter has been resolved and compromise has been effected between them. She further stated that if her complaint is consigned without any further action, in that case she shall have no objection.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 13.4.2016 at New Delhi. There was no appearance on behalf of the complainant. However, the complainant vide her letter dated 2.4.2016 intimated the Council that she would not be able to attend the hearing as her mother is seriously ill. Shri Gurpreet Singh, ASI, PS City Kotakpura appeared on behalf of respondent no. 10 i.e. the SHO, PS Kotakpur, Faridkot and Shri Hardev Singh, GM, DIC, Sangur appeared on behalf of respondent no. 1 i.e. the Chief Secretary, Govt. of Punjab, Chandigarh. There was no appearance on behalf of the other respondents.

The Inquiry Committee has heard the representative of the respondents and carefully perused the record of the case. They stated that the complainant has filed an affidavit stating that she does not want any further action in the matter. An affidavit said to have been filed by her is produced before the Committee and the same is taken on record.

In view of the affidavit filed by the complainant, the Inquiry Committee is not inclined to proceed further in the matter. It recommended to the Council to dismiss the complaint accordingly.

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 decided to **dismiss** the complaint.

PRESS COUNCIL OF INDIA

Sl. No. 14

F.No.13/70/15-16-PCI

Shri Akshay Jain
Freelancer Journalist
Meerut, U.P.

Ms. Rashmi Choudhary
Women Police-in-Charge
Meerut, U.P.

Adjudication
Dated:10.6.2016

This complaint dated 3.6.2015 addressed to National Human Rights Commission, New Delhi and copy endorsed to PCI among others was filed by Shri Akshay Jain, Freelance Journalist, Meerut, U.P. against Ms. Rashmi Choudhary, Women Police-in-Charge alleging misbehaviour and threats by her and constable, Ms. Manju during a hearing of a case where he expressed his view as he was there for gathering news. The complainant submitted that on 3.6.2015 at 12:00 p.m., he went to the Mahila Police Station for coverage of the news. During hearing of one of the cases, the party representing the boy sought more time from the respondent Ms. Rashmi Choudhary for next hearing owing to ill health of the boy who was hospitalized while the other party representing the girl requested for an early date. She gave next date after a gap of merely five days. In spite of the several request made by boy's side the respondent while behaving in dictatorial manner stated that her decision is final. The complainant vide his further letter dt. 27.7.2015 informed that he merely expressed his view in the matter during hearing by saying that "court also gives relief if anybody is hospitalized by considering medical certificate, why can't you give them more time as the boy is hospitalized". The respondent listening to all this got furious and used abusive language against him and directed the constable Ms. Manju who forcefully took him out from the thana.

The complainant vide his further letter dt. 14.9.2015 informed that a copy of the complaint among others was also forwarded to the respondent but received no response from her which is a proof that she accepted the allegation of her misbehavior. Further, the footage of spy camera of the police station may also be called for by the Council in this behalf to establish authenticity of his complaint. The complainant also forwarded the hand written statement of Ms. Rekha Choudhary, a warden of Ward no. 2 of Nagrik Suraksha Core, Meerut as a witness to the incident.

A Notice for Comments was issued to the respondent and the Govt. of U.P. on 24.8.2015 followed by a reminder dt.23.10.2015.

Written Statement

The Superintendent of Police, O/o DGP, Lucknow vide letter dt. 3.11.2015 endorsing copy thereof to PCI for information requested the SP, Meerut to inquire the matter and send ATR to them.

The Council sent a letter dt.30.12.2015 to the SSP, Meerut to file comments/report in the matter.

In response to Notice for Comments dt. 24.8.5012, the Senior Superintendent of Police, Meerut vide letter dt. 14.2.2016 addressed to the Additional Superintendent of Police, Lucknow and copy endorsed to PCI for information submitted therewith Inquiry Report of the Circle Officer on the complaint. The Circle Officer submitted that the

Notice was served to Sh. Jain to be present for his submissions in the case and efforts were made to contact him over phone but he did not give any response. No proof could be produced from the lady staff posted in the thana as well as complainants present there during the incident in question.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 11.4.2016 at New Delhi. Shri Akshay Jain, the complainant appeared in person and Smt. Rashmi Chaudhary, the respondent also appeared in person.

The complainant claims to be a freelance journalist. The intervention by the complainant in a matrimonial dispute at the Police Station is beyond his jurisdiction. His duty as a journalist was to collect news and nothing further. The Inquiry Committee, therefore, is of the opinion that this complaint is absolutely misconceived. It recommended to the Council to dismiss the complaint accordingly.

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 decided to **Dismiss** the complaint.

PRESS COUNCIL OF INDIA

Sl. No. 15

File No. 13/10/15-16-PCI

Shri Anup Sagar,
Editor, Halla Bol Times,
New Delhi.

The Chief Secretary,
Government of National Capital
Territory of Delhi,
Delhi

The Secretary,
Home (Police) Department,
Government of National Capital
Territory of Delhi, Delhi.

The Commissioner of Police,
Delhi.

S.H.O.,
Police Station, Mansarovar Park,
Shahdara, Delhi

District Magistrate,
District Ghaziabad,
Uttar Pradesh.

S.H.O.
Police Station Sahibabad,
Ghaziabad, U.P.

Adjudication
Dated:10.6.2016

This complaint dated 6.4.2015 was filed by Shri Anup Sagar, Editor, Halla Bol Times, Delhi against police officials and district authorities of Ghaziabad, U.P. for not taking any action against anti-social elements. The complainant submitted that on 12.5.2014 in Sahibabad some unknown person hit his scooty(scooter) and fled away from the spot. He rang up 100 (police) and gave all the information to police. The complainant also lodged a written complaint on 15.5.2014 but no action was taken by the Police in the matter. The complainant further submitted that he always published the news about the illegal activities in his newspaper. In this regard, the complainant also provided some news clipping. Attending to the complaint due to his critical news reporting, he is getting threats from anti-social elements. The complainant stated that he has written to higher authorities but they have not taken any action in the matter. He has also enclosed copies of letters written in this regards.

A Notice for Statement in Reply was issued to the respondents on 14.5.2015 followed by two Time Bound Reminders dated 29.7.2015 and 23.9.2015.

Comments of the Deputy Director, Press, NCT, Delhi

In response to Council's letter dated 23.9.2015, Shri M.C. Maurya, Deputy Director (Press) Directorate of Information & Publicity, Government of NCT of Delhi vide his letter dated 16.10.2015 has informed the Council that the complainant is not accredited with

the Directorate of Information & Publicity, Government of NCT of Delhi as per office record.

Comments of Sr. Superintendent of Police Crime, Ghaziabad

In response to Council's letter dated 23.9.2015, Superintendent of Police, Crime, Ghaziabad vide his letter dated 2.12.2015 forwarded an investigation report received from Shri Ashish Srivastava, Assistant Superintendent of Police, Sahibabad (Ghaziabad) whereby he stated that the complainant's case no.1105/15 section 420/406/323/506 is registered on the statement of Shri Chotey Lal Khan S/O Shri Ali Khan in Sahibabad Police Station. He also stated that he got the instructions for early disposal of the case.

Complainant's further letter

The complainant in his letter dated 18.1.2016 which is an endorsement stated that the Sub-Magistrate, Shahdara has not submitted any report in the matter and also not provided any security to him. He requested to provide security as anti-social elements are threatening him and his family members by saying that they on the occasion of the marriage of his son, will teach him and his family members a lesson.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 11.4.2016 at New Delhi. Shri Anup Sagar, the complainant appeared in person. Shri Om Prakash, Tehesildar, Shahdara, Smt. Vichitra Veer, ACP/PG Cell and Shri Manish Kumar, Dy. Sp alongwith Shri Atul Yadav represented the respondents.

The Inquiry Committee has heard the complainant as also the representatives of the respondents. The allegation made by the complainant is too vague. Further, the grievance of the complainant that further action with regard to the news item published in his newspaper are not being taken by the authorities is not the concern of the complainant, for which it can approach the Council. It recommended to the Council to dismiss the complaint accordingly.

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 decided to **Dismiss** the complaint.

Press Council of India

Sl. No. 16

File No.13/125/14-15-PCI.

Mr. Longing Teron,
Editor/Owner, Thekar,
Rongkhelan, Diphu,
Assam.

Vs.

The Chief Secretary,
Government of Assam,
Guwahati, Assam.

The Secretary,
Home (Police) Department,
Government of Assam, Guwahati,
Assam.

The District Magistrate,
Dispur, Guwahati, Assam.

Shri Tuliram Ronghang,
Chief Executive Member,
Karbi Anglong Autonomous Council,
Anglong, Assam.

Shri Sarat Brahma,
Langhin, Karbi Anglong (Assam)
Executive Member, Karbi Anglong
Autonomous Council

Shri Mongolsing Timung,
Executive Member, Karbi Anglong,
Autonomous Council,
Diphu.

Adjudication

Dated:10.6.2016

This complaint dated 21.11.2014 was filed by Shri Longsing Teron, Editor, Thekar (A Karbi Daily from Assam) in which he alleged that due to publications of several news items on corruptions, his newspaper was burnt on 20.11.2014 and then he was harassed and asked to vacate his office. The complainant alleged that some miscreants forcibly collected copies of his newspaper from all newspaper vendors at Diphu and burnt down Fiphu public bus stand. He has further alleged that several attempt were made to attack him physically and block government advertisements and bills. According to the complainant, the reason for attack was the fact that his paper, Thekar continuously exposed the clandestine and rampant corruption by the Chief Executive Member, Karbi Anglong Autonomous Council and the Executive Member, i/c Agriculture Mongoising Timung. Not succumbing to the pressure, his paper is the only paper which has not compromised and brought all the news that were being released through press statement and press meet by those organisations that are against the corruption. The complainant submitted that the incident of attack on freedom of press was the handiwork of the ruling Karbi Anglong Autonomous Council authority. The complainant informed that he filed a police case for burning of his newspaper copies and also filed a case at High Court of

Guwahati against the office vacation order. The society later withdrew the vacation order and requested the court to drop the case.

Hon'ble Justice Shri Markandey Katju, the then Chairman of the Council wrote a D.O. letter on 21.11.2014 to Government of Assam to probe the matter thoroughly through an impartial agency and send a report to the Council but no reply was received.

Notices for Statement in Reply in this case were issued to the Government of Assam and Karbi Anglong Autonomous Council on 4.2.2015.

Written Statement of Respondent

In response to Notice for Statement in Reply, the respondent Secretary to Government of Assam, Home & Political Department, Dispur, Guwahati vide his letter dated 4.3.2015 forwarded an investigation Report of Superintendent of Police, Karbi Anglong District in the matter.

The Superintendent of Police, Karbi Anglong, Diphu (Assam) submitted that on the basis of the FIR lodged by the complainant on 20.11.2014 in Diphu PS under Case No.260/14 under Section 436 IPC, an investigation was conducted by Inquiry Officer, SI (UB) who examined the complainant and witnesses and recorded their statements. The Inquiry Officer seized a photograph on being produced by the complainant which was taken at the time of occurrence and published in Karbi daily "Thekar" on 21.11.2014 and examined the witnesses visible in the photograph. He also stated that during investigation, it was revealed that on 20.11.2014 a group of unknown youth came to the Book Stalls situated nearby the place of occurrence i.e. Diphu Bus Stand and collected copies of newspaper of Thekar and burnt it. The witness of the occurrence could not identify the miscreants. It was further revealed that Shri Nokbi Singnar, Shri Gautam Kro and Shri Lawrence Engleng had given a statement which was published in local newspaper of Karbi Anglong namely "The Arleng Daily" on 21.11.2014 that they had committed the offence of the case under reference. The Inquiry Officer issued a letter to the Editor, The Arleng Daily to furnish full particulars of suspects Shri Nokbi Singnar, Shri GautamKro and Shri Lawrence Engleng but the editor could not furnish the same. The Inquiry Officer learnt from the sources that aforesaid name of suspects as published in newspaper were fictitious. The respondent concluded by saying that no clue found against the ruling Karbi Anglong Autonomous Council Authority, as alleged. However, the investigation is on.

Counter Comments:

In his Counter comments, the complainant while denying the report of the State Government stated that the Report of the Government is biased and he is not satisfied with the Report. He further stated that not some copies, but all the copies that were to be circulated in the area, were burnt.

Written Statement of Joint Secretary, Government of Assam

In response to Council's Notice for Statement in Reply dated 4.2.2015, the Joint Secretary to Government of Assam, Home Department, Dispur vide his letter dated 23.7.2015 has informed that the SP, Karbi Anglong submitted a point-wise comments dated 8.6.2015. The SP in his reply while denying the allegations levelled by the complainant, stated that as per vendors statement the culprits collected the papers from

them after paying the cost and then burnt the copies. The respondent further stated that as regards identification of accused from the photograph delivered by the complainant, the same was not clear and distinct and therefore the accused cannot be identified. Besides this, no person came forward to disclose the fact and identify the culprits. However, sources had been engaged by the Inquiry Officer to trace them and if any suspect was arrested in this regard, their handwriting will be taken and will be sent to the FSL for examination with that of the signature of the culprits which is collected from the paper editor of Arleng Daily for forensic analysis. The respondent has further informed that regarding security point of view, a petition for arms license for Assam, Nagaland and Meghalaya jurisdiction by the complainant is already recommended and forwarded from their office for kind consideration by higher authority. He also informed that the complainant submitted a petition for providing PSO and in this regard, the threat perception assessment of the applicant for the same is under process.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 11.4.2016 at New Delhi. Shri Longsing Teron, the complainant appeared in person while Shri Avijit Roy, Ms. Kankana Aradhara and Ms. Deepika Ghatowar, Advocates appeared for the respondent.

The Inquiry Committee has heard the complainant as also the counsel for the respondent and perused the record. It is a common ground that the complainant happens to be the editor of newspaper 'Thekar' a Karbi Daily and copies of the said newspaper were burnt. It is further an admitted position that on the basis of the report given by the complainant on 20.11.2014 Diphu PS case no. 260/14 u/s 436 IPC was registered. It is the allegation of the complainant that the newspapers were burnt as those contained news items on corruption. It is further allegation of the complainant that he apprehended threat to his life for his writings in the newspaper.

In the written statement, the Joint Secretary to the Government of Assam has stated that the investigation in the matter is going on and further, the threat perception assessment of the applicant is in the process. When the matter is taken up, the complainant states that the police case is still under investigation and he has not been provided with any PSO (Personal Security Officer).

In the facts and circumstances of the case, the Inquiry Committee is of the opinion that the respondent concludes the investigation of the criminal case, if already not concluded, within 45 days from the date of hearing. The Inquiry Committee is further of the view that the competent authority examines the threat perception assessment of the complainant within 30 days from today and take follow up action in the light thereof. So long this decision is not taken, the Inquiry Committee directs the respondent to provide him with a PSO. It recommended to the Council to dispose of the complaint on the aforesaid terms.

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 decided to **Dispose of** the complaint on the aforesaid terms.

PRESS COUNCIL OF INDIA

Sl. No. 17

F.No.13/22/15-16-PCI

Shri Rajesh Chandra Bhattacharjee
Proprietor,
Yugbhed,
Bilaspur (Chhattisgarh)

1. Shri Badrinarayan Meena,
Superintendent of Police,
Raipur, Chhattisgarh
2. Other Police Authorities,
Bilaspur, Chhattisgarh

Adjudication
Dated:10.6.2016

This complaint dated 13.4.2015 was addressed to the Hon'ble Chief Justice of Chhattisgarh High Court and copy endorsed to PCI among others by Shri Rajesh Chandra Bhattacharjee, Proprietor, Yugbhed, Bilaspur Chhattisgarh against coal mafia and police authorities for allegedly threatening him through anonymous letters and registering concocted cases against him as a reprisal measure due to publication of critical writings. According to the complainant, in some of his news/articles he raised some burning issues plaguing the state administration and he also tried to throw light on the unholy nexus between senior police officers and coal mafias which in turn go against the officers who have vested interest in the parallel economy. The complainant further informed that, in the process, he incurred the wrath of some senior police officers who are clandestinely registering false FIRs through their underling. The complainant also informed that he received some threatening anonymous letters wherein the writer intimidated him either to stop the tirade against the illegal grid or face dire consequences.

According to the complainant, it all started after Shri Badrinarayan Meena took charge as SP, Bilaspur in 2013. A news article was published in his newspaper on 14.10.2013 highlighting the connivance angle and lackadaisical attitude of the district police towards the coal mafia. Right on the next day on 15.10.2013 an unknown person approached him at his office and politely asked him not to publish any news against the police department particularly against Shri Meena or otherwise be prepared to face the dire consequences. The complainant has further informed that during Assembly Elections he published a news item again on 16.10.2013 highlighting the pressure created by the police on coal depot owners in the name of collecting elections funds. The Election Commission took note of it and Chhattisgarh Police HQ at Raipur took cognizance of the reported news and sent a special team of State CID to conduct parallel investigation in the matter and during the investigation, Mr. Meena's illegal activities were exposed before the senior officers and after that he was harbouring a grudge against him. The complainant alleged that in order to build pressure on him and inhibit him from writing the truth Mr. Meena registered a false and fabricated case against him on 11.2.2014 at a Special police station for SC and ST in Bilaspur by using a shady background person namely Shri Kannu Passi. The complainant informed that when Mr. Meena came to know that Court granted him bail on 7.6.2014, he registered another criminal case against him on the same day by using another person, Shri Girdhar Sahu where Kannu Passi was a witness. The complainant stated that the second criminal case was also legally settled but he is still apprehensive that Mr. Meena may misuse his official position to register more fake FIRs against him. The complainant submitted that he lodged number of complaint with the higher authorities of the police department

including the Chief Minister of Chhattisgarh but they did not initiate any action in this regard.

The complainant vide his further letter dt. 20.8.2015 informed that two concocted criminal cases were registered against him by the Bilaspur district police on the direction of the then Superintendent of Police, Bilaspur, Shri Badrinarayan Meena (now posted at Raipur) for publishing news article exposing the illegal nexus between the coal mafia and Shri Badrinarayan Meena. In both the cases he was acquitted by the Hon'ble District Court. The last case was decided on 20.3.2015 and before filing the Declaration he was waiting to see whether the applicant makes further appeal in the appellate court or not and expiry of the appeal period, he collected all the certified copies of the Court orders to furnish all the relevant details.

Notices for Statement in Reply were issued to the respondent Govt. of Chhattisgarh on 4.9.2015.

Written Statement

In response, the Superintendent of Police, Bilaspur vide letter dt. 10.12.2015 submitted that the complainant had appointed Sh. Kannu Passi as cameraman in his office for the last five years and had been deluding him for salary whenever Shri Passi used to ask for it. The complainant has been misbehaving and abusing Shri Passi. A case was registered under the SC & ST Act against the complainant on 11.2.2014 on a complaint filed by Shri Passi in police station, Ajak Bilaspur. The complainant was arrested in this case which was listed before the court where he got acquitted on 20.3.2015. Another complaint dt. 7.6.2014 was filed against the complainant through his another employee, Sh. Girdhar who was also threatened by the complainant. The matter was placed before the court where the complainant was acquitted on the basis of an agreement reached between the parties on 21.8.2014. The two cases were registered against the complainant on the report of Sh. Kannu Passi and Sh. Girdhar and actions were taken in accordance to law. The respondent alleged that the facts submitted to the Council by the complainant were baseless.

Counter Comments

The complainant vide his letter dated 11.4.2016, while reiterating his complaint, stated that Mr. Badri misused his official position and planned to brand him as habitual offender. He further stated that when a proceeding u/s 107/116 Cr. P.C. were already pending against him, then how can Mr. Badri initiate second set of proceeding within a span of two days. He alleged that Mr. Badri harassed him. He stated that all prosecution witness who deposed against him are either thieves or contract killer thriving under the patronage of Badrinarayan Meena and Kannu Passi.

Report Filed by Addl. Superintendent of Police, Bilaspur

Shri Prashant Katlam, Additional Superintendent of Police, Bilaspur vide his letter dated 9.4.2016 has stated that the matter got investigated and it has been found that the allegations levelled by Shri Rajesh Bhattacharya, the complainant has not been substantiated as no evidence in this regard has been produced by him. The allegations levelled by him are found uncertified.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 11.4.2016 at New Delhi. Shri Rajesh Chandra Bhattacharya, the complainant appeared in person while Shri J.R. Thakur, Addl. Superintendent of Police, Bilaspur appeared for the respondent.

The Inquiry Committee has heard the complainant as also the representative of the police and perused the complaint and the connected papers. The Inquiry Committee is of the opinion that no interference is called for in the matter. It recommended to the Council to dismiss the complaint accordingly.

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 decided to **Dismiss** the complaint.

Press Council of India

Sl. No. 18

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

Shri Alok Prakash Bharti
alias Alok Yadav,
Journalist,
Hindustan Dainik,
Purnia, Bihar

Shri Praveen Kumar,
SHO, PS Tikapatti (Rupauli)
Purniya, Bihar

Shri Ramchandra Singh,
Upper Inspector,
PS Dhamdaha,
Purniya, Bihar

The Chief Secretary,
Government of Bihar,
Patna (Bihar)

The Secretary,
Home (Police) Department,
Government of Bihar,
Patna (Bihar)

The District Magistrate,
Purniya, Bihar

The Superintendent of Police,
Purniya, Bihar

Adjudication

Dated:10.6.2016

This complaint dated 17.4.2013 was filed by Shri Alok Prakash Bharti alias Alok Yadav, Journalist, Hindustan Dainik, Purnia, Bihar against Shri Praveen Kumar, O.P., Raghuvanshnagar (presently SHO, , PS Tikapatti (Rupauli), Purniya, Bihar) and Shri Ramchandra Singh, Sub-Inspector, PS Dhamdaha, Purniya, Bihar for allegedly implicating him in false case due to publication of critical writings. The complainant prominently published an incident of gang-rape and murder of a 13-year old girl and exposed the suspicious role and deficiencies of the police due to which Raghuvansgnagar O.P., Shri Praveen Kumar was transferred to Tikkapatti police station. The complainant further published a news report on Neeraj Kumar murder case. Annoyed with these, the respondent implicated him in false criminal case no. 176/11 u/s 363/366A IPC with the connivance of one Smt. Akli Devi, wife of a criminal. The complainant alleged that the action of the respondents was a reprisal measure due to publication of critical writings and the same amounts to an attack on the free functioning of the press.

A Notice for Statement in reply was issued to the respondents on 3.10.2013 for their comments.

Comments of Superintendent of Police, Purniya

The Superintendent of Police, Purniya in his comments dated 26.11.2013 has submitted that an investigation in the matter was conducted by the Sub-divisional police officer, Dhamdaha and found all the allegations levelled by the complainant against the respondents as baseless because the complainant, Shri Alok Yadav has been made secondary accused in a case of kidnapping before the Court u/s 164 IPC . He has stated that a charge sheet no. 19/13 dated 30.4.2013 was presented before the court against the primary accused, Shri Babloo Yadav and co-accused, Shri Alok Kumar Yadav u/s 363/366/120(B)/376/34 IPC.

A copy of the comments was forwarded to the complainant on 23.12.2013 for counter comments.

Comments from Shri Praveen Kumar, SHO, PS Tikapatti (Rupauli), Purniya

Shri Vishvas Bhajan, Sub-Divisional Police Officer, Dhamdaha and Shri Rajesh Kumar Singh, Deputy Collector in Charge, Purniya and vide their letters dated 13.2.2014 and 11.3.2014 has forwarded the comments of Shri Praveen Kumar, SHO, PS Tikapatti, Purniya dated 2.2.2014 in which he has stated that the complainant was made co-accused in a case no. 176/11 dated 2.12.2011 u/s 363/366 IPC which was a case of kidnapping of one Smt. Akli Devi who had recorded a statement u/s 164 and thereafter the complainant was sent to the judicial custody on the direction of Sub-divisional police officer. He further stated that at that time when the case was registered, he was posted as O.P., Raghuvanshnagar but thereafter he got transferred at PS Tikapatti (Rupauli), Purniya as SHO on 12.6.2012. He has submitted that since the complainant was made co-accused during his tenure at Raghuvanshnagar, the complainant filed this complaint and made allegations on him. He has further submitted that all the allegations are false and far from truth.

A copy of the above said comments was forwarded to the complainant for counter comments.

No Comments from other Respondents

Reminder letter dated 3.4.2014 was issue to the remaining respondents for filing Statement in reply but no response was filed.

Report of the Inquiry Committee

Following an adjournment dated 10.9.2015, the matter came up for hearing before the Inquiry Committee on 12.4.2016 at New Delhi. Shri Alok Prakash Bharti, the complainant appeared in person while Shri Nand Kishore Yadav, SI appeared for the respondents.

On 10.12.2015, the Inquiry Committee discussed as follows:-

“The Inquiry Committee has heard both the parties and is prima-facie is of the opinion that the complainant has been falsely implicated in the case as a reprisal measure. The Inquiry Committee has been informed that the trial is at final stage.

In that view of the matter, the Inquiry Committee declines to pass any final order in the matter. It observes that the Investigating officer shall ensure that all the witnesses in the case are examined before the Trial Court expeditiously, preferably on the next date of trial.“

The Inquiry Committee endorses the aforesaid observations. However, as the issue is subject matter of the trial pending before a Court of competent jurisdiction, the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee recommended to the Council to dismiss the complaint accordingly.

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 decided to **Dismiss** the complaint.

Press Council of India

Sl. No. 19

File No.13/136/14-15-PCI.

Complainants

Shri Aravinth Kumar,
Tirupur
(Tamil Nadu)

Vs.

Respondents

The Chief Secretary,
Government of Andhra Pradesh,
Hyderabad.

Shri K. Nagaimugan,
President,
Citizen for Rule of Law and
Centre for Protection of Freedom of Press,
Chennai (Tamil Nadu)

The Secretary,
Home (Police) Department,
Government of Andhra Pradesh,
Hyderabad.

Shri R. Mohan,
President,
Madras Union of Journalists,
Chennai (Tamil Nadu)

The Director General of Police,
Andhra Pradesh Police,
Hyderabad.

The Superintendent of Police,
Tirupati
Andhra Pradesh.

Adjudication

Dated:10.6.2016

Attention of the Council was drawn by Shri Aravinth Kumar, Tirupur, Shri K. Nagaimugan, President, Citizen for Rule of Law and Centre for Protection of Freedom of Press, Chennai and Shri R. Mohan, President, Madras Union of Journalists, Chennai towards barbaric attack on Tamil Nadu based journalists by the Andhra Pradesh police during the visit of Srilankan President, Shri Mahinda Rajapaksa to Tirupati Temple.

Vide Council's letter dated 8.1.2015, Shri Kosuri Amarnath, Member, Press Council of India was requested to provide a preliminary report on the facts of the incident to determine further course of action in the matter.

Preliminary Report

Shri K. Amarnath, Hon'ble Member, PCI vide his email dated 10.1.2014 submitted preliminary report in the matter. It was submitted in the report that the then President of Sri Lanka, Mr. Mahinda Rajapaksa visited Tirupati and Tirumala on December 9-10, 2014 for Darshan of the Lord Venkateswara. The police deployed heavy force from Raniguda Airport to Tirupati and Tirupati to Tirumala Hills. Some political parties from Tamil Nadu declared several days before his visit that they would stage protest demonstrations at Tirupati. Due to heavy police presence and because of their preventive measures, the Tamil Nadu political workers could not stage any demonstration or obstruct his convoy in Tirupati. Some political workers sneaked into Tirumala Hills in the guise of devotees overcoming the police precautions. They suddenly emerged at Lepakshi circle, where they stayed overnight and started raising slogans against Mr. Rajapaksa a few minutes after the convoy left the place on its way to temple. It was further submitted that the police swung into action and started rounding up the protesters and put them in to a police van parked nearby. Some reporters, photographers and video cameramen who came from Tamil Nadu and waiting on the side lines, immediately started taking pictures and

video footage. The police, it seems, were at loss to understand from where the mediapersons emerged and started rounding them up also along with the protesters. The police, who were familiar with the local reporters, did not recognise any of them while rounding them up. The police did not care despite some mediapersons showed them their ID cards and the TV mikes exhibiting the names of their channels. The reporters who were rounded up were taken to Papavinasanam, a holy place abetting forest and three/four KMs from the temple area and left them there along with the protesters at about 2:30/3:00 p.m. As it was early hours of the morning, at about 2 a.m. no local reporter was present. It could be because of the fact that they did not have prior intimation about the likely protests at that spot. According to the report, there is enough evidence, both visual and oral, to believe that seven or eight reports/cameramen/photographers of various Tamil TV channels and newspapers were rounded up by the police and put them in a waiting van along with the protesters even after showing their identity cards to prove that they were journalists. In the melee and jolting, the media persons were also roughed up and some of them might have received lathi blows. Some of their cameras were damaged. The Dy. SP present there behaved arrogantly and asked his force to round them up when some reporters tried to show him their credentials. He also told them that they would not allow the Tamil Nadu Media covering functions in the State. Shri Amarnath spoke to the journalists based at Tirumala and Tirupati and went through Telugu newspapers on December 11 and found that almost all newspapers, mentioned about the protests and rounding up of the media personnel also along with the protesters in the last few sentences of the report of Rajapaksa's visit. According to the local press reports also there was a mild lathi charge on the protesters as well as on the Tamil Nadu journalists covering the event. Shri Amarnath further stated that it is proved prima facie, from the evidence available from the local media persons and some photos they sent him, that the police prevented the working journalists from Tamil Nadu to cover protests staged against Mr. Rajapaksa and violated the freedom of expression. It would be taken seriously that the police bundled up the media persons along with the protesters and left them at a faraway place in darkness. It might have meant to frighten the media that was covering an event which exposed the chinks in there security arrangements. Shri Amarnath has recommended that further inquiry is necessary to ascertain the facts from persons involved and other witnesses in Tirumala. It is possible to obtain the version of the police if further inquiry is made. He has further recommended that it may be useful if the Council evolves some guide lines for coverage news particularly protests in other states as the police there, as in this case, refuse to recognise the ID cards issued by the media organisations in another State.

Reply of the Government

The Superintendent of Police, Urban Police District, Tirupati vide his letter dated 3.3.2015 informed that during visit of former H.E. President of Sri Lanka, Shri Rajapaksa at Tirupati and Tirumala on 9.12.2014 and 10.12.2014 there were some alarming inputs from the State Intelligence Department and Intelligence Bureau, New Delhi that there was chance of pelting stones on the convoy and also obstructing the convoy by the Tamilians, who belongs to various political parties. According to him, in order to prevent any untoward incident, police force were deployed in Tirupati and Tirumala and due to timely of preventive measures by the police, the Tamil agitators could not stage any demonstration or obstruct the convoy of H.E. President of Sri Lanka at Tirupati. But, the Tamil agitators under the guise of pilgrims sneaked in to Tirumala to do some untoward incidents, to attract the attention of the press and others. He further submitted that on 10.12.2014 some of the Tamil agitators gathered at Lepakshi Circle and waiting for the arrival of former H.E. President of Sri Lanka on return journey from Sri Vari Temple. On knowing this and as the Tamil agitators designed to commit cognizable offence, in order to prevent the commission of offence, the police swung into action. The respondent

further stated that the said agitators raised slogans against the President of Sri Lanka. In order to prevent the commission of offence the S.I. of Police arrested all the agitators 72 persons who were assembled at that place, under a cover of a police proceeding and brought them to II town P.S. Tirumala. He mentioned that Shri S. Gunasekaran is one among the said agitators. Basing on the police proceedings, the SI of Police, II Town PS-Tirumala registered a case in Cr.No.111/2014 under Section 151 Cr.PC. Shri Gunasekaran who was arrayed as Respondent No.38 in the list of accused, did not even disclose his identity to the SI at the time of arrest made. According to the respondent, the agitators also raised slogans at the police station and they were disturbing the peace and in this circumstances and also to give good atmosphere to the agitators by providing food etc., shifted them to GovindaMatham, Tirumala, situated at a distance of one and a half KM away from the police station. He has stated that there is no truth in the allegation that Shri Guanasekaran and others were ill-treated by the police. He further stated that the local press was also following the former H.E. President of Sri Lanka and they were present in front of Srivari Temple to take his photographs and video coverage. He submitted that no lathi charge was made either against the agitators or the Tamil press personnel, at the time of arrest of the agitators on the early hours of 10.12.2014 at Lepakshi Circle, Tirumala. Further, no press personnel complained against Tirumala Police about any Lathi charge. He stated that after completion of journey of H.E. President of Sri Lanka, the SI of Police, II Town PS released all the accused at 11:00 on 10.12.2014. The SI also sent a final report to the Mandal Executive Magistrate, Tirupati in that regard treating the case as action dropped vide MC.No.305/2014 dated 10.12.2014. Thus the said case was closed.

Report Filed by the SP, Urban Police, Tirupati

The Superintendent of Police, Urban Police, District Tirupati vide his letter dated 11.2.2016 has submitted a Report on the alleged attack on Tamil Nadu Reporters by Andhra Pradesh Police in Tirumala. In the report the entire incident has been reiterated and finding are given. In the findings it has been stated that the Tamil news channels persons are expected to move/present along with the local Print and Electronic Media Journalists, Tirumala in front of the Srivari Temple, wherein specific area provided to gather information about the VVIP. These Tamil channels/Press persons were away with the local journalist of Tirumala and mixed with the agitators/the people who were suspected to carryout cognizable offence at Lepakshi Circle which is situated far away from the Srivari Temple at that wee hours. It has been further stated that the Tamil Nadu Press persons did not disclose their identity prior to their arrival to Tirumala either to Local Police or any competent authority. It has been also stated that a total of 875 persons were arrested on 8.2.2013 under preventive Acts and also 276 persons were taken into preventive custody apart from 72 persons at Tirumala on 9.12.2014. It has further mentioned that Mr. Mahindra Rajapaksa, President of Sri Lanka is treated as State Guest and protocol as well as security to be provided on par with Hon'ble President of India as per Blue Book and any lapse regarding security arrangements will lead to the international ramifications. In view of the facts and circumstances, nothing excess on the part of the police in dealing with the situation in temple town Tirumala.

Further Response of Sp, Urban District Police, Tirupati

Shri Gopinath Jatti, IPS, SP, Urban Police District, Tirupati in his letter dated 7.4.2016 informed that the Public Relation Officers, TTDs, Tirupati furnished the details of 31 numbers of e-press people who covered the VVIP programme on 10.4.2014. As per the list, five Tamil Print Media and four Tamil Electronic Media were among the 31 mediapersons present at the place to cover the VVIP programme. He submitted that the details furnished amply establishes the fact that the petitioner, Shri Aravinth Kumar and

some other media people belonging to Tamil Nadu instead of covering the programme of the VVIP, intentionally mingled with Tamil agitators (MDMK Party Activists) at Lepakshi Circle in Tirumala. Further, there is no prior intimation either to the District Administration or to the TTD authorities about their coverage of the agitation programme by the respondents. If they have prior intimation, the said incident might be averted. Therefore, it is absolutely de-void of truth that the press people were not allowed to cover the VVIP programme by the Andhra Police.

Report of the Inquiry Committee

Following an adjournment dated 15.2.2016, the matter came up for hearing before the Inquiry Committee on 12.4.2016 at New Delhi. Despite service of notice, the complainant has not chosen to appear. Shri M.V.S. Swahy, Additional S.P., Tirupati, AP represented the respondent.

When the matter was taken up on 15.2.2016, the complainant asserted that journalists from Tamil Nadu were not permitted in Andhra Pradesh to cover the visit of President of Sri Lanka to Tirupati.

Taking note of the aforesaid assertion, the Inquiry Committee called upon the respondent to give a list of Tamil Journalists who have been allowed to cover the visit of the President. In the light thereof, the Government of Andhra Pradesh had submitted the list of Tamil Journalists. The Inquiry Committee has considered the complaint and relevant documents and is of the opinion that no action is called for against the respondents. It recommended to the Council to dismiss the complaint accordingly.

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 decided to **Dismiss** the complaint.

PRESS COUNCIL OF INDIA

Sl No. 20

File No. 13/41/14-15-PCI

Shri Anwar Noorie,
Chief Editor, Mumbra Samachar,
Thane.

1. The Chief Secretary,
Government of Maharashtra,
Mumbai.

2. The Secretary,
Home (Police) Department,
Government of Maharashtra,
Mumbai.

3 The Commissioner of Police,
Office of the Commissioner of Police,
1st Floor, Near Kalwa Bridge,
Thane West.

4 Shri Jitendera Awhad, MLA,
Rashtrawadi Congress Party,
Thane West.

5 Shri Ashok Dudhey,
Deputy Commissioner of Police,
Thane Police Zone-I,
Thane, Maharashtra.

6 Shri Vikram Patil,
Assistant Commissioner of Police,
Kalwa Zone, Kalwa, Thane West

7 Shri Srinivas Munde,
Senior Inspector of Police,
Mumbra, Thane.

8 Shri Ambasing Girase,
Sub Divisional Officer,
Thane West.

Adjudication

Dated:10.6.2016

This complaint dated 26.6.2014 was filed by Shri Anwar Noorie, Chief Editor, 'Mumbra Samachar' Thane against Shri Jintendra Awhad, MLA, NCP and Police authorities. The complainant submitted on 17.3.14 Shri Jitendera Awhad, MLA publicly proposed in a public meeting to join the NCP which was refused by him, annoying the MLA who created trouble for him. The complainant further stated that he approached to the police department but all police officials were in favour of the MLA. He submitted the SDO was also harassing him and he approached the Council under (PRAB). The complainant vide letter dated 12.5.2014 drew the attention of the Commissioner of Police, Mumbai but received no response.

No Written Statement

Notice for Statement in Reply were issued to the respondents on 15.7.2014 followed by a Reminder dated 8.1.2015 but no reply was received from the respondent.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 10.5.2016 at Pune. Shri Anvar Noorie, the complainant appeared in person while Shri S. A. Pandhare, Naib Tahsildar, SDM Office, Thane West and Shri S.T. Bendre, A.D.I., Mubra Police Station, Thane and Shri Vikram Patil, ACP, Kalwa Division, Thane appeared for the respondents.

It is the allegation of the complainant that he is being harassed by a Member of the Legislative Assembly for not joining his party. It is not the allegation that for any of his critical writings, he is being harassed by the MLA. The Inquiry Committee is of the opinion that remedy sought for by the complainant lies somewhere else. The Inquiry Committee accordingly recommends for the dismissal of the complaint.

It is, however, made clear that the Inquiry Committee has not expressed any opinion in regard to the merits of the case, which the complainant claims to have filed before the Press & Registration Appellate Board (PRAB).

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 decided to **dismiss** the complaint.

Press Council of India

Sl. No. 21

F.No.13/58/14-15-PCI.

Shri Sardarsinh Naranji Chauhan,
Editor, Khamir Weekly,
Gujarat.

Forest Department,
District Gir Somnath,
Gujarat.

Adjudication
Dated:10.6.2016

This complaint dated 25.7.2014 was filed by Shri Sardarsinh Naranji Chauhan, Editor, Khamir Weekly, Gujarat against Forest Department, District Gir Somnath, Gujarat for harassing him due to publication of a critical news item. He submitted that he published the news of death of two lions in the area on 21.6.14 and the news was containing information about negligent behaviour of forest officials in the treatment of sick lions. Annoyed with the news item exposing their negligence in the official duty, they served a notice to complainant on 27.6.2014 containing allegations of illegal possession of forest lands with only 2 days time to reply for the same. The complainant stated that he had replied that the land legally purchased by him and there is no encroachment on forest land by him.

Notice for Statement in Reply dated 18.11.2014 was issued to the respondents.

Written Statement of Range Forest Officer

In his written statement dated 8.12.2014, Shri P.T. Kaneria, Range Forest Officer, Talala, District Gir Somnath, Gujarat has informed that officials of his office are transferred to other place. He further informed that after verification of the office record he came to the conclusion that the complaint is baseless and has no substance. The respondent alleged that the complaint was a counter attack on the forest officials to prevent their official duties. According to him, the notice dated 27.6.2014 issued by the forest authority containing allegations of illegal possession of forest lands is true but the complainant has suppressed important thing that the notice was issued for Reserve Forest Land Survey No.37. The respondent further submitted that though both the survey numbers are adjoining but it does not mean that any person has the right to cross over the border and enter into forest land or occupy the forest land. He further submitted that the complainant filed a Civil Suit No.57/2014 before the Hon'ble Principal Senior Civil Judge, Veraval against forest official and summons were served to forest officials on 8.7.2014 but till date Hon'ble High Court has not granted any remedy to the complainant, which means that the case has no substance.

Counter Comments

The complainant in his counter comments dated 27.1.2015 reiterated his earlier complaint and stated that the comments filed by the respondent, Range Forest Officer, Talala were false and misleading. The Range Forest Officer, Talala had not uttered a single word in his statement against his allegations for curtailment of freedom of press. The complainant further stated that the forest officials are not the authority to decide the title of any land and as they were aware about the pendency of the suit and still they have forcefully snatched the possession of his land.

Comments of Resident Additional Collector, Gir Somnath District, Veraval

The Resident Additional Collector, Gir Somnath District, Veraval vide his letter dated 7.5.2016 stated that the applicant having the land 10624 Sq. Mt. Of revenue survey no. 39/1 of Lushala Village of Talala Taluka, the land 1325758 Sq. Mt. Of revenue survey

no. 37 of the Reserve Forest land owned by Forest Department of Gujarat State situated is on the east side of the applicant's above land. After the notice was issued, the applicant filed a Regular Civil Suit no. 57/2014 before the Principal Senior Civil Judge, veraval against forest officials. The High Court appointed a court commissioner for measuring the questioned land and the court commissioner has inspected the land and measured both lands. As per measurement sheet, the applicant has made an encroachment of 442 Sq. Mt. Land in the reserve forest land bearing survey no. 37. The status of Regular Civil Suit no. 57/2014 is that it is pending before the Court for counter affidavit.

Report of the Inquiry Committee:

The matter came up for hearing before the Inquiry Committee on 11.5.2016 at Pune. There was no appearance on behalf of the complainant. However, the complainant has sent a communication to decide his case on merits. Despite service of notice, respondent has not chosen to appear.

The complainant is an editor of a newspaper and his allegation is that he is being harassed by the respondent for publishing critical news about the death of lions in the Gir forest. According to him, on account of such publication, he was served with a notice alleging possession of forest land.

The Inquiry Committee has perused the complaint and the relevant record and finds that the complainant has resorted to a civil proceeding in respect of the notice given to him, alleging possession of forest land. In that view of the matter, the Inquiry Committee is not inclined to proceed in the matter any further, and recommends for dismissal of the complaint.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decided to **dismiss** the complaint.

PRESS COUNCIL OF INDIA

S.No.

F.No.13/161/14-15

F.No.14/454/15-16

1. Suo-motu cognizance with regard to attacks on Lokmat offices in Maharashtra; and
2. Complaint of Shri Kareem Chand Shaikh against the editor, Lokmat.

Adjudication **Dated:10.6.2016**

The Press Council of India has come across a news report under the caption "Mob attacks Marathi daily's offices over illustration" appearing in Times of India in its issue dated 2.12.2015. It was reported in the news that taking offence to an illustration published in Marathi newspaper on November 29, a mob of around 50 people attacked the Jalgaon office of the daily and smashed glass panes in the reception. It has been further reported that protests were also witnessed in Dhule, Nanded and Aurangabad but there were no reports of anyone being injured or of any loss to property. It was also reported that the newspaper issued a corrigendum and apologized for hurting the sentiments of a particular community. According to the news report, in Nashik, the mob also burnt copies of the newspaper in front of its office of the Mumbai-Agra road to protest against the publication of the illustration. A senior Police Inspector said that "The Bhadrakali police station received a complaint from members of the community. They issued an appeal to maintain calm and the situation was brought under control-The city was tense for nearly four hours on Sunday. Complaints were received by the Upnagar and Ambad PSs in the city as well, but no FIR was registered".

A cross complaint dated 30.11.2015 has also received through e-mail filed by Shri Kareem Shaikh against the editor, Lokmat for publication of the impugned illustration. The complainant has submitted that the impugned illustration has insulted their religious sentiments and requested the Council to ban the publication of Lokmat Manthan.

As per the orders of the competent authority a report is called for from the newspaper and also from the state functionaries.

Report from the newspaper

In response to the Council's letter dated 7.12.2015 Shri Sudhir Mahajan, Editor, Lokmat vide his reply/report dated 25.12.2015 has informed that Lokmat Marathi newspaper is one of the highly circulated newspaper in Maharashtra and it comes out with weekly supplement "Manthan" on every Sunday. Taking into consideration increased terrorism throughout the world mainly at the instance of terrorist organization ISIS, an article titled as "ISIS cha paisa" was published on the first page of the "Manthan" on 29.11.2015. According to him, the author wanted to demonstrate the various sources through which the funds are collected/received by ISIS. The article is written by Shri Pavan Deshpande and considered the gist of the article the graphic designer Shri Prakash Sapkale has shown a saving box toy in which money from various countries is being deposited/saved in the form of Rupees, Dollars, Pounds, Yen, Dirham and currency of various countries. He has stated that to show that it is deposited/collected for ISIS, black flag of ISIS with logo is reproduced/pasted on the saving box toy without any intention of hurting religious sentiments of any community or religion. Moreover, the picture of saving box is not of any animal considered an untouchable by any religion or community. The saving boxes toys are available with the same shape in the market and commonly used. The Editor, further stated that the article concerned is based on various terrorist activities going on in the World. The aim behind the article was to present the

global phenomena regarding terrorism and there was no intention to hurt any religion or desecrate God of any religion. According to the editor, to maintain communal harmony and to avoid misunderstanding to maintain law and order they have published explanation on the next day of the attacks on the offices of Lokmat in Maharashtra, a clarification in this regard was published on the first page of Lokmat.

Report of S.P., Jalgaon

In response to the Council's letter dated 7.12.2015, the respondent-Dr. Jalinder Supekar, IPS, Superintendent of Police, Jalgaon vide his reply/report dated 6.1.2016 submitted that the supplement of Lokmat newspaper "Manthan" taking into consideration increased terrorism throughout the world mainly at the instance of terrorist organization ISIS, an article titled "ISIS cha paisa" was published on its front page. The author wanted to demonstrate the various sources through which the funds are collected by ISIS. The article is written by Shri Pawan Deshpande and considered the gist of the article the graphic designer Shri Prakash Sapkale has shown a saving box toy in which money from various countries is being deposited/saved in the form of Rupees, Dollars, Pounds, Yen, Driham and currency of various countries showing that is deposited for ISIS. The respondent has further submitted that the Muslim people misunderstand the picture of saving box, which was Pig animal where Arbi language "Allah Rasul Mohammad" was written on his mount so Muslim people attacked on Lokmat Press in MIDC Jalgaon. The MIDC Police Station Incharge along with staff urgently visited and control to maintain the law and order. According to the respondent, the Lokmat newspaper's director did not register FIR but Muslim people register an FIR Cr.No.325/2015 u/S 295/295A dated 29.11.2015 in MIDC Police Station. The matter is under police investigation. The respondent has stated that to avoid misunderstanding and to maintain law and order, Lokmat newspaper published explanation on 30.11.2015 on front page.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 12.5.2016 at Pune. Shri Madhusudan Kapse, Deputy Manager, Legal appeared for the complainant and Shri Jalindar Supekar, S.P. Jalgaon appeared for the respondent.

When it came to the notice of the Council that the office of the newspaper was attacked, it took *suomotu* cognizance of the matter and issued notice. An illustration published by the Lokmat is the bone of contention. According to some, it hurt their religious sentiments, and for others, it was an intellectual pursuit. Be that as it may, the newspaper itself, on the following day, had expressed regrets and tendered apology. In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further, and recommends for its disposal.

Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decided to **dispose of** the complaint as above.

PRES SCOUNCIL OF INDIA

Item No.41

F.No.13/119/15-16

Suo-motu Cognizance regarding controversy surrounding the circular issued by the government of Maharashtra on sedition in the wake of the ruling of Bombay High Court

Adjudication

Dated:10.6.2016

Reference recent controversy surrounding the circular issued by the Government of Maharashtra on sedition in the wake of the ruling of Bombay High Court, Press Council of India has taken suo-motu cognizance of the matter. The Hon'ble Bombay High Court while disposing of Criminal Public Interest Litigation No.3 of 2015 (Sanskar Marathe vs. the State Government of Maharashtra and others) by Order dated March 17, 2015 recorded the undertaking given by the Advocate General of the State Government of Maharashtra that the home Department will issue the guidelines in the form of a Circular to all the Police personnel. From the tenor of the Order, it is evident that the same was to protect the citizens from unnecessary harassment. The observations of the Bombay High Court in this regard are as follows:

“(1) In view of the felt need to issue certain guidelines to be followed by the Police while invoking Section 124A IPC, the following pre-conditions must be kept in mind whilst applying the same:

- (i) *The words, signs or representations must being the Government (Central or State) into hatred or contempt or must cause or attempt to cause disaffection, enmity or disloyalty to the Government and the words/signs/representation must also be an incitement to violence or must be intended or tend to create public disorder or a reasonable apprehensions of public disorder.*
- (ii) *Words, signs or representations against politicians or public servants by themselves do not fall in this category unless the words/signs/representations show them as representative of the Government;*
- (iii) *Comments expressing disapproval or criticism of the Government with a view to obtaining a change of government by lawful means without any of the above are not seditious under Section 124A.*
- (iv) *Obscenity or vulgarity by itself should not be taken into account as a factor or consideration for deciding whether a case falls within the purview of Section 124A of IPC, for they are covered under other sections of law;*
- (v) *A legal opinion in writing which gives reasons addressing the aforesaid must be obtained from Law Officer of the District followed within two weeks by a legal opinion in writing from Public Prosecutor of the State.*

2.(i) All Unit Commanders are directed to follow above instructions scrupulously.

(ii) It must also be kept in mind that the instructions mentioned above are not exhaustive and other relevant factors depending from case to case may also be kept in mind while applying Section 124A of the IPC.

In the light of the aforesaid undertaking the State Government of Maharashtra has issued Circular dated 27.8.2015 as also its clarification. After careful consideration of the

Circular issued by the State Government of Maharashtra Hon'ble Chairman, Press Council was of the view that prima facie the Circulars do not reflect the observations of the High Court in its true spirit and the words and the expressions used in the Circulars are possible to be misconstrued and misunderstood, which shall have the potential of encroaching upon the freedom of the press. He had directed to call upon the State Government of Maharashtra to furnish the reason, circumstance and necessity of issuing such Circulars.

Accordingly a letter dated 11.9.2015 and subsequent reminder dated 5.10.2015 was issued to the Government of Maharashtra to furnish the reasons, circumstance and necessity of issuing such orders.

In response to the Council's letter dated 11.9.2015, the Under Secretary(Legal) to the Government of Maharashtra vide letter dated 16.9.2015 informed that the letter issued by the Council was forwarded to the Additional Chief Secretary, Home Department for necessary action.

The Council vide letter dated 28.10.2015 and D.O. letter dated 2.12.2015 written to Smt. Chitkala Zutshi, Additional Chief Secretary, Home Department, Government of Maharashtra to intimate the reason, circumstances and necessity of issuing the Circulars at the earliest as the matter is serious infringing upon the freedom of press.

In response to the D.O. Letter dated 2.12.2015 Shri Kailas Gaikwad, Deputy Secretary to the Government of Maharashtra vide letter dated 22.12.2015 informed the Council that the reply to the letter is submitted for approval of Hon'ble Chief Minister and after being approved by him the same will be forwarded to you. But till date no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 12.5.2016 at Pune. Shri Kailas Arjun Gaikwad, Deputy Secretary to Government of Maharashtra appeared.

The Council took *suomotu* cognizance of the matter with reference to the circular dated 27/8/2015 and its clarification issued by the State Government of Maharashtra. When the matter is taken, Shri Kailas Arjun Gaikwad, Deputy Secretary, State Government of Maharashtra, in the Department of Home, states that the aforesaid circular has been withdrawn. In the aforesaid view, the matter has become infructuous. The Inquiry Committee accordingly recommends for dismissal of the same as infructuous.

Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decided to **dismiss** the complaint.

Press Council of India

S.No. 24

F.No.13/194/15-16-PCI.

Suo-motu cognizance with regard to attack on a lady journalist-Ms. Revati Laul in Ahmedabad.

Adjudication

Dated:10.6.2016

It had come to the notice of the Council through Press Statement issued by Delhi Union of Journalists and various news reports regarding attack on a lady journalist-Ms.Revati Laul in Ahmedabad. It was reported in the news reports that a convict in a Gujarat riot case, when a parole, allegedly assaulted a journalist in Ahmedabad when she met him for an interview. Ms. Ravati Laul, who is writing a book on the convicts in the 2002 Naroda Patiya massacre case, alleged that she was punched and slapped by Suresh Chhara when she asked him some questions during an interview at his house in Naroda area of Ahmedabad. It was further reported that Ms. Laul was treated at a Government hospital and she later lodged a complaint with the Vejalpur PS, which was transferred to Sardarnagar PS for further inquiry. The Police Commissioner that he came to know about the incident late in the night and the police have been instructed to take action.

While taking suo-motu cognizance of the matter, a report on facts of the case was called for from the Government of Gujarat vide Council's letter dated 19.2.2016.

Report of the Government

The Police Inspector/Reader-To-Police Commissioner, Office of the Commissioner of Police, Ahmedabad City vide his letter dated 1.3.2016 has informed that an FIR was lodged in connection with alleged attack on journalist-Ms. Revati Laul at Sardarnagar PS, Ahmedabad City vide C.R. No.3015/2016 u/S 323, 294(B) of Cr.P.C. and further investigation was carried out by Crime Branch, Ahmedabad City. He has further informed that the ACP, Crime Branch in his reports stated that the freelancer journalist-Ms. Laul came to Ahmedabad in January 2015 and she is working on a book about the criminals of riots which took place in Ahmedabad in the year 2002. During this period, she met Suresh @ Richard Chhara and his wife Farjanabanu. Wife of Suresh informed Ms. Laul that her husband was under sentence for Naroda-Patiya riots and he raped her while he was out on Parole in July 2015. According to him, the accused of this case Suresh was under sentence for 31 years in Sabarmati Central Jail for the crime registered in Naroda PS and was on Parole from 16.1.2016 for a month. On 20.1.2016, his wife informed Ms. Laul that he husband was released on Parole again, thus Ms. Laul paid a visit to Suresh's house in the evening. He has further informed that during the conversation of Ms. Laul with Suresh, he abruptly got provoked and attacked her when she asked him about how he got on parole. She somehow managed to escape from there and reported her complaint at Vejalpur PS, Ahmedabad City which was later transferred to the Sardarnagar PS and an FIR was lodged in this regard. He has stated that the accused was arrested on 21.1.2016 and statements of witnesses were recorded during the inquiry. He has further stated that the accused was sent to court custody for Danilimda PS, Ahmedabad City vide C.R. No.4/2016 u/S 377, 498(A), 323, 506(1), 507 and currently he is in judicial custody. He has informed that the accused committed a crime while he was on parole, thus the Convener, Special Investigation Team, Godhra Riots Cell,

Gandhinagar and Jail Superintendent, Sabarmati Central Jail were informed about the same.

A copy of the Report was forwarded to Delhi Union of Journalists on 6.4.2016 for information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 12.5.2016 at Pune. Shri Deepan Bhadran, DCP crime, Ahmedabad appeared.

Suomotu cognizance of the matter was taken when it came to the notice of the Council that a lady journalist, Ms. Revati Laul, was assaulted in Ahmedabad. A report was called for from the Government. The Government had submitted its reports. Shri Deepak, DCP, Crime, Ahmedabad, is present. He states that while the said journalist went to a convict of an earlier case, Suresh Chhara, she was assaulted by him and that led to registration of a case against him. He has further stated that the said convict was arrested and ultimately charge-sheeted in the case has been submitted and the matter is now pending for trial. The Inquiry Committee notes the aforesaid facts and is of the opinion that no useful purpose shall be served by continuing with the complaint. In view of the aforesaid development, the Inquiry Committee recommends for the dismissal of the complaint.

Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decided to **dismiss** the complaint.

Press Council of India

S.No. 25

F.No. 13/89/15-16-PCI

Complainant

Vs.

Respondent

Shri Arpan Kamalkishore Goyal, Editor, Dainik Gokulniti, Jalna, Maharashtra	<ol style="list-style-type: none">1. The Chief Secretary Govt. of Maharashtra, Mumbai2. The Secretary Home (Police) Deptt., Govt. of Maharashtra Mumbai3. The Director General of Police, Maharashtra Police, Mumbai4. The District Magistrate, Jalna, Maharashtra5. The Superintendent of Police, Jalna, Maharashtra
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Adjudication

Dated:10.6.2016

This vernacular complaint dated 3.8.2015 was filed by Shri Arpan Kamalkishore Goyal, Editor, Gokulniti, Jalna (Maharashtra) regarding attack on him by miscreants. A copy of the news item published in this regard in Lokmat Times on 24.3.2015 has reported that a group of miscreants had barged into the office of Dainik Gokulniti and assaulted Editor Shri Kamalkishore Goyal. He got serious injury and admitted in a local hospital. The police registered a case against unidentified persons but no arrest has been made. The journalists of Jalna submitted a memorandum to S.P., Jalna demanding that the culprits be arrested. The complainant has requested the Council to take action in the matter.

The complainant vide Council's letter dated 14.8.2015 was requested to file his complaint either in Hindi or English and fulfill all the basic requirements of Press Council (Procedure for Inquiry) Regulation, 1979. Reminder dated 10.12.2015 was issued by Registered Post and requirement letter was also emailed on 11.12.2015 to the complainant, but no response has been received.

The Government of Maharashtra was requested vide Council's letter dated 27.1.2016 to file a report on facts of the case but no response has so far been received from them despite issuance of registered reminder dated 18.3.2016.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 12.5.2016 at Pune. Shri Arpan K. Goyal, Editor, Dainik Gokulniti has appeared for the complainant and Shri Anant M. Kulkarni, Police Inspector (Crime) for the respondent.

Complainant is the editor of a newspaper. He was assaulted while he was working in his office by unknown miscreants. A case was registered. Shri Anand Kumar Kulkarni, Inspector, Crime Branch, Jalna, is present and has explained the various steps he had taken during the course of investigation to identify the accused. He states that the matter shall be investigated expeditiously and shall be concluded within a period of four weeks. The Inquiry Committee notes the aforesaid assurance of Shri Kulkarni and recommends for disposal of the complaint. Shri Kulkarni shall forward a Report to the Council also.

Held

The Press Council on consideration of the records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decided to dispose of the complaint in the aforesaid terms.