

## Press Council of India

Agenda Item No.

Adjudications based on reports of Inquiry Committee (Meetings held on October 7-8, 2015)

### Complaints by the Press

#### Section-13

#### **Inquiry Committee-II Meeting held at New Delhi October 7-8. 2015**

1. Suo-motu cognizance w.r.t. "Cash for Coverage" to the journalist by the BJP leaders in Madhya Pradesh appeared in the Hindu. (13/84/11-14)
2. Complaint of the General Secretary, UT Journalist Union, Daman and Managing Editor, Savera Times, Nani Daman against the Police Authorities (13/09/09-10-13/55/19-10)
3. Complaint of Shri Kanhaiya Lal Vishwakarma, Chief Editor, Bundelkhand Chetna, Lalitpur (UP) against Police and Anti-Social Elements (13/126/13-14)
4. Complaint of Shri Jagannath Bastia, President, Puri Journalists Association, Puri, Odisha against the Chairman, Parliamentary Standing Committee and Chairman-cum-Managing Director, UCO Bank, Kolkata (13/127/14-15)
5. Complaint of Shri Arun Kumar Correspondence, Aaj Ki Daastan, Hapur UP against 1) Shri Kiranpal, Head Constable, Delhi Police and 2) Shri Tejpal, Head Constable, Delhi Police, Delhi (13/111/13-14)
6. Complaint of Shri Ravi Batra, Delhi against the Editor, National Duniya, New Delhi (13/170/14-15)

## **PRESS COUNCIL OF INDIA**

Sl. No. 1

File No.13/84/11-12-PCI

Suo-motu cognizance with regard to "Cash for Coverage" to the Journalists by the BJP leaders in Madhya Pradesh appeared in The Hindu on 15.10.2011.

### **Respondents**

1. Shri Prabhat Jha, MP,  
State BJP President of  
Madhya Pradesh,  
New Delhi.
2. Shri Ganesh Singh,  
Member of Parliament (L.S.)  
New Delhi.

### **ADJUDICATION** **Dated 11.12.2015**

The President, Indian Journalists Union, New Delhi through its President, Shri S.N. Sinha drew the attention of the Council vide his letter dated 15.10.2011 towards a news report which appeared in The Hindu under the caption "***Cash-for-coverage scandal takes the fizz out of Advani's Yatra***" in its issue dated 15.10.2011 along with the photograph captioned "journalists looking at the envelopes handed out to them at the BJP's Satna District office". He further informed that it was widely reported in the media that the Bhartiya Janta Party (BJP) attempted to bribe the journalists in Madhya Pradesh by distributing envelopes containing currency notes worth Rs. 500-1,000 during a press conference called by the local party MP, Mr. Ganesh Singh at the District Party Office in Satna on a day ahead of Mr. Advani's press conference. Shri Sinha stated that the IJU strongly felt that the BJP leader's action for 'cash for coverage' amounted to subversion of not only the freedom of the press but also democracy. He urged the Council for a thorough inquiry.

Suo-motu action was initiated in the matter and comments of State BJP President: Shri Prabhat Jha and the local MP, Shri Ganesh Singh who had addressed the press conference were invited.

### **Comments from Shri Ganesh Singh, MP**

Shri Ganesh Singh in his comments dated 21.2.2013 denied that any had incident taken place regarding distribution of money in front of him. He stated that he had already left the place after addressing the Press Conference.

The Inquiry Committee considered the matter on 10.2.2015 and directed that detailed report on inquiry conducted by the party be called for.

### **Response of Shri Ganesh Singh, MP**

In response to Council's letter dated 18.03.2015, Shri Ganesh Singh, MP vide his letter dated 1.04.2015 has submitted that he had already submitted his reply to the Council vide letter dated 21.02.2013 and clarified that no such

incident of distribution of money happened in his presence in the Press Conference and he immediately left for the next programme.

### **Response of Shri Prabhat Jha, MP**

Shri Prabhat Jha, MP vide his letter dated 4.9.2015 submitted his reply and stated that neither he nor any Madhya Pradesh State BJP member was involved in the subject matter in question. He further stated that he came to know about the matter only through the local newspapers. He also stated that his party, BJP has also conducted an internal inquiry in the matter and nobody was found guilty in the matter.

### **Report of the Inquiry Committee**

Following two adjournments dated 10.2.2015 and 5.8.2015, the matter came up for final hearing before the Inquiry Committee on 7.10.2015 at New Delhi. Shri S.N. Sinha, President, Indian Journalists Union appeared. The respondent no. 1, Shri Prabhat Jha appeared in person while Shri Dilip Kr. Gupta appeared for the respondent no. 2 i.e Shri Ganesh Singh.

The Inquiry Committee heard Shri S.N. Sinha as also the representative of the respondent no. 2. It also carefully perused the material available on record including the news item published in the daily newspaper 'The Hindu' which has formed the subject matter of the inquiry. The news item accompanied by a photograph carried the following observations:-

"A cash-for-coverage scandal has taken the fizz out of Bhartiya Janta Party leaded L.K. Advani's ambitious Jan Chetna Yatra against corruption and black money with the BJP leaders in Madhya Pradesh 'attempting to bribe' journalists for favourable coverage of the yatra.

Envelopes containing currency notes worth Rs. 500-1000 were handed out to journalists during a press conference called by local BJP MP Ganesh Singh at the district party office in Satna on Wednesday, a day ahead of Mr. Advani's press conference there".

The Inquiry Committee further noted that the respondent no. 2 i.e Shri Ganesh Singh has submitted a reply and although he has not denied the incident *per se*, but his plea is that no such incident of distribution of money happened in his presence. It also noted that the respondent no. 1 i.e. Shri Prabhat Jha in his reply has stated that nobody was found guilty in the aforesaid matter.

The Inquiry Committee finds that the respondents had not issued any contradiction with reference to the aforesaid news item. It opined that it is solemn duty of the organizers of the press conference to ensure that no pernicious practice takes place soon before, during or immediately after the press conference so as to influence the journalists to cover the news. The Inquiry Committee is further of the opinion that in case it so happens, the organizer of the Press Conference shall be presumed to be involved in it, unless contrary is proved. It further opined that Shri Ganesh Singh ought to have exercised due caution in the matter.

With the aforesaid observation, the Inquiry Committee recommended to the Council to dispose 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 **dispose of** the complaint.

**Press Council of India**

Sl. No. 2

File Nos. 13/9/09-10 PCI  
13/55/09-10 PCI

The General Secretary,  
U.T. Journalist Union,  
Daman.

Shri Satish Sharma,  
Managing Editor,  
Savera India Times,  
Nani Daman. (Sangh Pradesh)

**1.** The Chief Secretary,  
Administration of Daman & Diu,  
Daman

**2.** The Secretary,  
Home (Police) Department,  
Administration of Daman & Diu, Daman

**3.** The Superintendent of Police,  
Police Station, Diu, Daman

**4.** Inspector General of Police,  
Daman Diu Police, Daman

**5.** Shri R.P. Meena,  
Additional DCP (West), New Delhi

**6.** Shri Deepak Purohit,  
Deputy Commissioner, NDMC,  
New Delhi

**7.** The SHO,  
Daman Diu Police, Daman

**8.** Shri Satya Gopal,  
The then Principal Secretary Labour  
& Presently Election Commissioner,  
Government of Arunachal Pradesh,  
Itanagar, A.P.

**9.** Shri Govind Raja,  
Assistant Sub-Inspector,  
Police Station Diu, Daman

**10.** Shri Bharat Devji Bamania,  
Head Constable, Police Station Diu, Damar

**11.** Shri Kishore P. Solanki,  
Police Constable,  
Police Station Diu, Daman

**ADJUDICATION**  
**Dated 11.12.2015**

In a complaint dated 21.1.2009, the General Secretary, U.T. Journalist Union, Daman followed by another complaint dated 27.5.2009 by complainant i.e. Shri Satish Sharma, Managing Editor, Savera India Times, Nani Daman, it was alleged that the police authorities were allegedly harassing him as a reprisal measure by filing false cases against him due to publication of critical news items. He submitted that he had published certain critical news items exposing the misdeeds of Chief of Police, Shri R.P.Meena. Complaints were also filed against the then Administrator, Shri Satya Gopal and his subordinate for separate instances of harassment and handcuffing following more critical reporting. The Council, being prima facie satisfied about the allegations directed judicial inquiry into the instance of handcuffing at Daman on 17.11.2011.

**Inquiry Report submitted by Shri R.R. Deshmukh**

Shri R.R. Deshmukh, Inquiry Officer & Principal District & Session Judge, Dadra & Nagar Haveli, Silvassa vide letter dated 15.11.2014 submitted the Inquiry Report in the matter of handcuffing of Shri Satish Sharma, Managing Editor, Savera India Times, Nani Daman. In the said Report, Shri R.R. Deshmukh, Principal District & Session Judge, Dadra & Nagar Haveli stated that it was proved from the oral evidence of the Shri Satish Sharma along with the statements of around 15 witnesses that after he was remanded to police custody in Crime No. 31/2009 for the offences punishable under Sections 384/506 of IPC of Police Station Diu, on 2.7.2009 he was taken to Daman from Diu and from bus stand, Nani Daman to Police Station, Daman, he was paraded in the streets in hand cuff condition by three police officials namely ASI, Shri Govind Raja, Police Head Constable, Shri Bharat Devji Bamania and Police Constable, Shri Kishore P. Solanki.

**Reply of Respondent No. 3 on the Inquiry Report**

Dr. Eish Singhal, IPS, Superintendent of Police, Daman vide her letter dated 30.04.2015 has submitted that the alleged incident has occurred during the time of her predecessors and the concerned officer have already been summoned. She further stated that the Enquiry Officer called for witnesses who were provided by the applicant, there were no witnesses on the part of the party enquired upon. Even the alleged police personnel's were also not examined for this purpose, which they believe can be called partisan/biased. She further denied the deposition of the complainant that none of the police men were wearing uniform in the transportation from Diu to Daman as most of the witnesses examined have mentioned that they saw three policemen escorting the complainant from bus stand to Police Station by hand cuffing then how they know that they were policemen. She further stated that almost all the witnesses are either from press fraternity or native of Rajasthan from where the complainant belongs then can't they be called biased & tutored, especially when they have not been cross-examined & more especially as no witness were called from the party being enquired upon. She stated that since she was not present at the time of the incident, the fact of the whole matter can only be cleared by the persons/officials who were actually present at the time of alleged incidences which happened.

### **Reply of Respondent No. 2 on the Inquiry Report**

Shri P.S. Jani, Additional Secretary (Home), U.T. Administration of Daman & Diu, Home Department, Secretariat, Daman vide his letter dated 3.8.2015 furnished the comments of the U.T. Administration on the Inquiry Report and stated that the alleged incident occurred during the time of then Administrator. He further stated that all the witnesses examined by the Inquiry Officer were provided by the complainant and no witness from the party side or police personnel's were examined during the course of Inquiry. Hence Inquiry Report is believed to be partisan/biased. He submitted that most of the witnesses mentioned that they saw three policemen escorting the complainant. Also, the police personnel's who was transporting the complainant from Diu to Daman and escorting him from Bus Stand to Daman Police Station were in civil dress, not in police uniform and belong to Diu district, none were personally known to the witnesses who were from Daman or Silvassa.

### **Reply of Respondent No. 5 on the Inquiry Report**

The Counsel for the Respondent no. 5 (i.e. Shri R.P. Meena) vide his letter dated 4.8.2015 in his reply stated that the said judicial Inquiry was conducted by the Inquiry Officer (Principal District & Session Judge) without issuing any notice to the respondent and thus he had no occasion to participate in the said inquiry. He further stated that there were several allegations against the respondent in the two complaints but there is no allegation on the issue of handcuffing. He submitted that the entire opinion of Inquiry Officer as regards to handcuffing was based on deposition of certain people who were produced by Shri Satish Sharma. The authenticity and credibility of these witnesses were not known to the respondent. He also submitted that the Inquiry Officer also relied on newspaper reporting so as to conclude that handcuffing had actually happened. He submitted that the complainant is in the habit of misusing his post to regularly publish false, derogatory and defamatory news articles in his newspaper against the Govt. authorities and police departments with a view to create pressure on the authorities to issue directions for publication of advertisements in his newspaper.

### **Reply of Respondent No. 6 on the Inquiry Report**

The Counsel for the respondent No. 6 (i.e. Shri Deepak Purohit) vide his letter dated 4.8.2015 submitted his reply and stated that the said judicial Inquiry was conducted by the Inquiry Officer (Principal District & Session Judge) without giving any opportunity of being heard to even those officials who have been indicated in the report. He alleged that the procedure adopted was in gross violation of principles of natural justice and unknown to law, thereby vitiating the entire inquiry in the matter. He stated that in the course of the said judicial inquiry, no notice was issued to the respondent. He further stated that in the said inquiry report, the respondent nowhere been named or found guilty of handcuffing in any manner. There was no finding recorded by the inquiry officer which requires a personal answer from the respondent. He submitted that on the date of filing of the present complaint, the proceedings before Judicial Magistrate I Class was pending and thus the complaint was not maintainable as per section 14(3) of the Press Council Act, 1978. He has further submitted that the entire opinion of Inquiry Officer as regards to handcuffing is based on deposition of certain people who were produced by Shri Satish Sharma. The authenticity and credibility of these witnesses were not known to the respondent. He also

submitted that the inquiry officer also relied on newspaper reporting so as to conclude that handcuffing had actually happened.

### **Reply of Respondent No. 8 on the Inquiry Report**

The Counsel for the Respondent no. 8 (i.e. Shri Satya Gopal) vide his letter dated 4.8.2015 submitted his reply and stated that the said judicial Inquiry was conducted by the Inquiry Officer (Principal District & Session Judge) without giving any opportunity of being heard to even those officials who had been indicated in the report. He stated that in the course of the said judicial inquiry, no notice was issued to the respondent. He alleged that the complainant was certainly on a wild goose chase as he was trying to rope in the officials of Administration of Daman & Diu. He further stated that in the Judicial Inquiry Report no evidence has come up to the effect that the respondent or any of the senior officials including the Administrator had anything to do with the incident of handcuffing. He further stated that in the said inquiry report, the respondent nowhere been named or found guilty of handcuffing in any manner. There was no finding recorded by the Inquiry Officer which requires a personal answer from the respondent. He submitted that on the date of filing of the present complaint, the proceedings before Judicial Magistrate I Class was pending and thus the complaint was not maintainable as per section 14(3) of the Press Council Act, 1978. He further submitted that the entire opinion of Inquiry Officer as regards to handcuffing was based on deposition of certain people who were produced by Shri Satish Sharma. The authenticity and credibility of these witnesses are not known to the respondent. He also submitted that the inquiry officer has also relied on newspaper reporting so as to conclude that handcuffing had actually happened. He has submitted that the complainant is in habit of misusing his position to regularly publish false, derogatory and defamatory news articles in his newspaper against the Govt. authorities and police departments with a view to create pressure on the authorities to issue directions for publication of advertisements in his newspaper.

### **Report of the Inquiry Committee**

Following several adjournments, the matter came up for final hearing before the Inquiry Committee on 7.10.2015 at New Delhi. Shri Satish Sharma, the complainant along with his Advocate, Shri Rishi Matoliya appeared. His main grievance is against the Escort party, Mr. Satya Gopal and Mr. Deepak Purohit. Shri Samir Malik, Advocate appeared for respondent nos. 5, 6 and 8 while Shri Mukesh Gupta and Shri Aakash Goel, Advocates appeared for respondent no. 3.

The Inquiry Committee heard the representatives of the parties and perused the record and written submission filed by them.

From the perusal of the report of the Principal District and Session Judge, there is no escape from the conclusion that the complainant was arrested and handcuffed. The inquiry committee notes that this part of the incident, infact, has been admitted by the 'escort party' i.e. Assistant Sub-Inspector, the Head Constable and the Constable, who took the complainant for production before the learned Magistrate. According to the police-personnel they have done it at the instruction of higher authorities, but they have not stated, who those 'higher authorities' were. The Inquiry Committee finds that Chief of police, Shri Deepak Purohit is in direct hierarchy of the Police-personnel, who had handcuffed the complaint and therefore, to say that he was not aware of the entire incident or

had played no role is difficult to believe. From the materials on record, the Inquiry Committee is of the opinion that the incident of handcuffing would not have been possible had Shri Deepak Purohit not desired.

So far as the role of Mr. Satya Gopal is concerned, the Inquiry Committee notes that though being the Administrator of the Union territory, his responsibility was far and wide but he does not figure directly in line of command. The material brought to the notice of the Inquiry Committee do suggest that Mr. Satya Gopal knew the complainant from before and had reason to be unhappy with him, but on the basis of those materials it is difficult for the Inquiry Committee to come to a definite conclusion that Mr. Satya Gopal had any role in handcuffing of the complainant.

The plea of the Counsel representing Mr. Satya Gopal and Mr. Purohit that the report of the Inquiry Committee (Principal Judge) be ignored on the ground that they were not given any notice or opportunity by the Inquiry Officer, in the opinion of the Inquiry Committee, deserves to be rejected for more than one reasons. The Inquiry Officer has issued public notice. Despite that if they have not chosen to appear, fault lies at their door-step. Not only this, the Inquiry Officer has not held them guilty in this report. The Inquiry Committee has only upheld the allegation levelled by the complainant that he was arrested and hand-cuffed. As regards the escort-party, they have not denied these allegations. The Inquiry Committee observes that principle of natural justice is not an unruly horse and its application depends upon the facts and circumstances of each case. The Inquiry Committee is of the view that in the facts of the present case, the principle of natural justice has not been violated.

The Inquiry Committee, accordingly, recommends that the conduct of Shri Deepak Purohit, DC, the then Chief of Police, Shri Govind Raja, ASI, Shri Bharat Devji Bamania, Head Constable and Shri Kishore P. Solanki, Police Constable be disapproved and the government be asked to take such action as are permissible against them in law.

### **Held**

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

**PRESS COUNCIL OF INDIA**

Sl. No. 3

F.No.13/126/13-14-PCI

Shri Kanhiyalal Vishwakarma,  
Chief Editor,  
Bundelkand Chetna,  
Lalitpur, U.P.

vs.

1. The Chief Secretary,  
Govt. of U.P., Lucknow
2. The Secretary,  
Home (Police) Deptt.,  
Govt. of U.P., Lucknow
3. The Police Commissioner,  
Jhansi, U.P.
4. The D.I.G (Police),  
Jhansi, U.P.
5. The D.G.P.,  
Lucknow, U.P.
6. The District Magistrate,  
Lalitpur, U.P.
7. The S.P.,  
Lucknow, U.P.
8. The S. D.M.,  
Sadar, Lalitpur, U.P.
9. The Field Officer,  
Sadar, Lalitpur, U.P.
10. The SHO, Nehru Nagar-  
Police Station, Lalitpur,  
U.P.

**ADJUDICATION**

**Dated 11.12.2015**

This complaint dated 15.10.2013 was filed by Shri Kanahiyalal Vishwakarma, Chief Editor, Bundelkand Chenta, Lalitpur, U.P. against the police authorities and anti-social elements, U.P. for harassing and assaulting him and against police authorities for inaction by it. The complainant submitted that the respondents on 15.10.2013, 17.10.2013, 25.10.2013 and 8.1.2013 came to his home and abused and beat him up aggrieved over the critical reporting by the complainant in his newspaper. The complainant stated that he wrote letters to the higher police officials on 15.10.2013, 16.10.2013, 17.10.2013 and 22.10.2013 but no action was taken by them and he neither did he receive any response from them.

A Notice for Statement in Reply was issued to the respondents on 17.7.2014 for their written statements.

## **Written Statement**

The respondent, Superintendent of Police, Lalitpur in his written statement dated 3.8.2014 submitted that an investigation was conducted in this matter by Shri Surat Singh Chahuhan, Circle Officer, Lalitpur. It was stated in the investigation report that there was dispute occurred between the complainant and one Shri Jahar Singh regarding purchase of a particular plot and in this the Court announced its decision in favour the complainant. After that the opponent party never interrupted the complainant. He further stated that the complainant earlier also filed a complaint before the PCI under file no. 13/118/12-13 in the same instant matter which was already adjudicated by the Council on 26.3.2014 despite this the complainant has again filed this complaint.

The respondents, Shri Surat Singh, Circle Officer, Lalitpur, District Magistrate, Lalitpur, Deputy Inspector General of Police vide letters dated 26.5.2015, 14.8.2015 and 3.9.2015 respectively submitted their reply in reiterating the stand contained in the written statement of the Superintendent of Police.

## **Counter Comments**

The complainant in his counter comments dated 29.8.2014 submitted that the Circle Officer, Lalitpur while giving clarification has ignored the harassment and assault on him and on the contrary had framed wrong charges against him. He alleged that the respondents were trying to save the guilty. The complainant vide his further letters dated 22.7.2015, 5.8.2015 and 6.8.2015 submitted that his harassment was still persistent. The complainant also submitted a copy of Order dated 19.5.2015 passed in a Writ Petition (Criminal Misc.) No. 12163 of 2015 filed by Shri Kanhaiya Lal Vishwakarma against the State of U.P. and two others.

## **Report submitted by DIG, Jhansi**

Shri Ajay Mohan Sharma, DIG, Jhansi vide his letter dated 29.9.2015 submitted that there was a dispute regarding the facts of their investigation submitted that the allegation of threat to Shri Kanahiya Lal Vishwakarma by the opponent, Shri Kamal Singh has been found false in the investigation. He also submitted that the other allegation of the complainant that the Circle Officer, Sadar, Janpad has protecting the opponents has also been found false in the investigation.

## **Report of the Inquiry Committee**

Following two adjournments dated 9.6.2015 and 6.8.2015, the matter came up for final hearing before the Inquiry Committee on 7.10.2015 at New Delhi. There was no appearance on behalf of the complainant while Shri Rajbabu Yadav, Sub-Inspector on behalf of the S.P. Lalitpur and Shri Ramesh Chandra on behalf of the C.O. appeared for the respondents.

The Inquiry Committee heard both the parties and also carefully perused the record of the case. It noted that by the Order dated 6.8.2015 the Inquiry Committee directed the DIG, Jhansi Range to make inquiry and submit a report. The DIG, Jhansi has submitted report dated 29.9.2015. The Inquiry Committee further noted that earlier also reports were filed and the allegations made by the complainant were not found to be true.

In view of the above reports, the Inquiry Committee finds it difficult to uphold the complaint of 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 adopts the report of the Committee and decided to **dismiss** the complaint.

## **Press Council of India**

Sl. No. 4

File No. 13/127/14-15- PCI

Shri Jagannath Bastia,  
President,  
Puri Journalist Association,  
Puri (Orissa).

vs.

Chairman,  
Parliamentary Standing  
Committee and  
Chairman-cum-Managing  
Director, UCO Bank

### **ADJUDICATION** **Dated 11.12.2015**

This complaint dated 24.11.2014 was received from Shri Jagannath Bastia, President, Puri Journalists Association, Puri, Odisha regarding distribution of money in a Government Press Conference for coverage of favourable news of Parliamentary Standing Committee. According to him, the mediapersons of Puri were insulted in a Government press conference addressed by the Hon'ble M.P., Puri, Sri Pinaki Mishra, Chairman of Parliamentary Standing Committee held on 12.11.2014 in Hotel Mayfair, Puri wherein a sum of Rs.200/- was distributed to each of the press correspondents in a plastic folder for publication of favourable news. The complainant further stated that he along with other mediapersons had strongly protested such malpractice and returned the money to Shri Mishra and boycotted the press conference. On his reaction the Chairman of Standing Committee clarified that the money was distributed by the UCO Bank who sponsored the visit of Standing Committee. The complainant alleged that it was an attempt to tarnish the image of the press in the society and oppression to press freedom.

A Notice for Statement in reply was issued to the respondent, Chairman-cum- Director, UCO Bank Managing Director on 15.12.2014 for their comments.

### **Written Statement**

The counsel for the respondent-UCO Bank vide her written statement dated 5.2.2015 while denying the allegations submitted that the UCO Bank received a communication dated 24.10.2014 from Ministry of Finance, Govt. of India that the Standing Committee on Ministry of Urban Development and Ministry of Housing & Poverty Alleviation would visit Puri and Bhubaneswar on November 11-12, 2014. The UCO Bank was designated as Nodal Agency to make arrangement for their stay, transport and meeting arrangements with proper co-ordination with other Central and State Government Departments. The counsel for the respondent further submitted that the press meeting was organized by DPRO, Puri to apprise the press about the development of projects undertaken by Ministry of Urban Development and Ministry of Housing and Urban Poverty Alleviation but not for giving any publicity to UCO Bank or bringing any profitable avenues to UCO Bank. Neither the UCO Bank called the press meet nor did any official of UCO Bank address the press meet. The counsel for the respondent stated that the UCO Bank is ready to make an unconditional apology before Hon'ble Press Council in the event there is any unintentional action on the part of the Bank which might hurt the feelings and sentiments of any of the journalists and/or media present in the said press conference.

## **Counter Comments**

The complainant-Shri Jagannath Bastia, President, Puri Journalists Association, Puri vide his counter comments dated 15.6.2015 while denying the written statement of UCO bank informed that the press conference was organised on behalf of Shri Pinaki Mishra, Chairman, Parliamentary Standing Committee on Urban Development held on 12.11.2014 at Hotel Mayfair, Puri which was sponsored by the UCO Bank. While reiterating his comments, he stated that the money was distributed when Shri Mishra was addressing to the press in presence of the local MLA-Shri Maheswar Mohanty and many senior government officials of the State and Central Government. According to the complainant, the UCO bank in their written statement neither denied the incident i.e. distribution of money in the press conference nor disclosed the name of the persons who distributed the money/bribe to the media persons in an open press conference for publication of news. He has requested the Council in order to reveal the truth to issue notice to Shri Pinaki Mishra, MP and the Chairman of the Parliamentary Standing Committee to appear before the Council and to putforth his statement in the matter.

## **Investigation Report**

Shri A.K. Sharma, General Manager (Audit & Inspection), UCO Bank submitted an Investigation Report dated 20.12.2014 on the alleged activities of giving cash to reporters during Press Meet at Puri on 12.11.2014 during the visit of Standing Committee on Urban Development (2014-2015). It is mentioned in the Report that there is no denying that hard cash of Rs. 200/- each has been distributed to each of the journalists attending to the Press Meet on 12.11.2014. It is further stated that as per the written statements of the executives it is clear that it was a collective decision of the Executive present and associated with the visit of the Standing Committee including the then General Manager and Circle Head, Dr. S.K. Nandy, Mr. P.K. Sharma, DGM deputed from Head Office as Nodal Officer and other Executives of Zonal Office/Circle Officer to give Rs. 200 to each journalist/press reporter as reimbursement towards conveyance expenses. It also transpired during the enquiry that giving small gifts, mementos and/or reimbursement toward conveyance expenses has been a practice for organizing press meets in past. It is also mentioned that there does not appear any political linkage in distribution of such small amount of money to the Reporters as conveyance expenses. It is further mentioned that there does not appear any malafide on the part of any executive/officer of our bank in the incident. However, cash payment of Rs. 200 to the press people, even if it is towards reimbursement of conveyance expenses, is not justified and has tarnished the Bank's image.

## **Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 8.10.2015 at New Delhi. Shri Jagannath Bastia, the complainant appeared in person while Ms. Arti Singh, ADR and Mr. D.P. Panda, GM, UCO Bank appeared for the respondent. The Inquiry Committee heard both the parties and also perused the record of the case. The complainant contended that the money was distributed to the mediapersons in plastic folders. He further stated that around 65 mediapersons returned the money to the Bank. On the other hand, the Counsel for the respondent contended that they distributed money to the journalists as a travelling allowance and for no other reason. He further stated that they are ready to make an apology. He also informed that an internal inquiry was conducted in this regard by the Bank and finds that the money was

distributed towards the reimbursement of travelling expenses to all the journalists present and around 17 mediapersons returned the money to the Bank. After hearing the parties, the Inquiry Committee came to the conclusion that the UCO bank has distributed money to the correspondents during the press briefing. The Inquiry Committee observed that even while no malafide could be attributed, it disapproved this conduct of the Bank and hopes that in future they shall not involve in such kind of activities. It also expressed hope that the journalists themselves would take necessary steps as in here, of refusing since, gifts costs to provide high ethical standards. The Inquiry Committee recommended to the Council to dispose of the complaint with the above.

**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. 5

File No. 13/111/13-14-PCI

Shri Arun Kumar,  
Correspondent,  
Aaj Ki Dastaan,  
Hapur

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.

Shri Kiranpal,  
Head Constable,  
Delhi Police, Hapur.

Shr Tejpal,  
Head Constable,  
Delhi Police, Hapur.

**ADJUDICATION**  
**Dated 11.12.2015**

This complaint dated 2.10.2013 was filed by Shri Arun Kumar, Correspondent, Aaj Ki Dastaan, Hapur against police officials for harassing him. The complainant submitted that he published a news item in his newspaper issue dated 28.09.2013 captioned "***Farzi va Jaalsaji Ka Karnama***". In the impugned news item, it was reported that there is a well in village Goyana, Hapur which is being used by the people of the village but the respondent constables wanted to grab that land illegally. The people of the village complaint to the District Magistrate and on 23.7.2010 an order was passed by the Deputy District Magistrate that Well be handed over to the Gram Pradhan. The respondents are two brothers, Shri Tej Pal and Shri Kiranpal, Head Constables working in Delhi Police. The complainant stated that they are misusing their power by pressurizing the people. The complainant further stated that after publication of this news item in his newspaper, the respondent got annoyed with him and threatened implicate him in a false case. The complainant further stated that he has written the District Magistrate and the S.P. Hapur on 30.9.2013 and requested to take action in the matter but received no response. The complainant also stated that Shri Sohanlal, Sub-Inspector, Police Station, Keshavnagar called him and threatened to file a false case against him.

A Notice for Statement in Reply was issued to the respondents on 15.1.2014.

## **Comments of the Additional Deputy Commissioner of Police**

The Additional Deputy Commissioner of Police, Delhi vide his comments dated 25.7.2014 stated that an inquiry was conducted through Vigilance Branch PCR which revealed that allegations against both the Head Constables could not be substantiated and the complainant had already approached local police, the S.P. & the D.M. of Hapur with regard to his complaint. He further stated that disciplinary action is being taken against both the Head Constables for not informing the department about the registration of Cr. Case against them vide FIR No.559/04 u/s 323/325/504 IPC P.S. Hapur Kotwali.

## **Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 8.10.2015 at New Delhi. Shri Arun Kumar, Correspondent, Aaj Ki Dastan appeared in person whereas Shri Satya Pal Singh, ACP (Vigilance), Delhi Police and Shri M. C. Maurya, Dy. Director (DIP), Delhi Government appeared for the respondent.

The Inquiry Committee heard both the parties and also perused the record of the case. The complainant while reiterating his complaint contended that neither Delhi Police nor local police took any action on his complaint. He requested the Council to direct the Police take action against them. On the other hand the representative of the Delhi Police contended that as no cause of action of the complainant arose in their jurisdiction as such they had forwarded the complaint of the complainant to the SSP, Hapur, U.P for necessary action at their end.

In the fact and circumstances of the case, the Inquiry Committee opined that the complainant shall be well advised to represent before the SSP, Hapur, U.P. regarding his grievance. Needless to state that in case such representation is made before the SSP, Hapur, he shall examine the same and take such remedial steps as are necessary in the matter.

In view of the aforesaid observations, the Inquiry Committee recommended to 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. 6

File No. 13/170/14-15-PCI

Shri Ravi Batra,  
Delhi

National Duniya,  
New Delhi.

### **ADJUDICATION** **Dated 11.12.2015**

This complaint dated 12.2.2015 was filed by Shri Ravi Batra, Delhi against management of National Duniya. In his complaint, the complainant cited his career spanning 30 years in major newspapers and stated that he joined the National Duniya in April 2012 as Photo Editor but no Appointment letter was given to him by the management. His salary had regularly been paid to him through cheque. He further submitted that he was suddenly terminated from the services by the respondent, National Duniya in September 2013 and the amount deducted from his salary for Provident Fund was not deposited in the Government account and TDS deducted from his salary was also not deposited. He informed that he was neither issued joining letter nor termination of service letter.

A Notice for Comments was issued to the respondents National Duniya on 25.2.2015.

#### **Comments of the National Duniya**

In response to Council's Notice for Comments dated 25.2.2015, Shri Manish Kumar Awasthi, General Manager, National Duniya submitted the reply on behalf of the Editor, National Duniya. The respondent denied the allegations levelled in the complaint and submitted that the complaint is false, misconceived and frivolous and required to be dismissed. The respondent also submitted that it seems that it was a calculated and motivated attempt of the complainant generating from some ulterior motive and for some oblique purposes. The complainant may approach the appropriate forum for redressal of his grievance.

#### **Report of the Inquiry Committee**

The matter came up for hearing before the Inquiry Committee on 8.10.2015 at New Delhi. Shri Ravi Batra, the complainant appeared in person whereas there was no appearance on behalf of the respondent.

The Inquiry Committee apprised the complainant of its jurisdictional limitations where for it will not be possible for the Council to grant him the relief sought for in the application. It further noted that the complainant prays for withdrawal of the complaint with the liberty to approach to the Labour Court as also the authority under Employees Provident Fund and Miscellaneous Provisions Act, 1952 for redressal of his grievance. The Inquiry Committee observed that in case the complainant approaches the authority concerned, steps be taken for its expeditious disposal.

In view of the aforesaid observation, it recommended to 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.