

Press Council of India

Index of Adjudications rendered by the Council in its meeting held on 17.11.2016

Complaints by the Press

Section 13

Inquiry Committee meeting held on 6-8 September, 2016 at New Delhi

1. Complaint of Shri Pranab Sarkar, General Secretary, Tripura Journalists Union against Shri Pankaj Chakraborty, Deputy Magistrate, Tripupra. (13/120/15-16)
2. Complaint of Shri Naved Akhtar, Correspondent, Dainik Shah Times, Haridwar, against Government of Uttrakhand. (13/184/15-16)
3. Complaint of Shri Sunil Kumar Rai, Editor, Najar Ki Najar, Delhi against Directorate of Information & Publicity, Government of NCT of Delhi. (13/183/15-16)
4. Complaint of Shri Ramesh Chandra Mishra, Editor, Prahlad Nagar, Hardoi, U.P. against Government of Uttar Pradesh. (13./192/15-16)
5. Complaint of Shri B.K. Awasthi, Staff Reporter, Rashtriya Sahara and President, Patrakar Press Parishad, Noida against Shri Naresh Yadav, Pradhan, Sorkha and Government of Uttar Pradesh. (13/105/15-16)
6. Complaint of Ms. Rukhsar, Special Correspondent, Dainik Hakumat Express and Zone Officer, GCB Focus Web News Channel, Shahjahanpur against Government of U.P. (13/101/15-16)
7. Complaint of Shri Umesh Sharma, Managing Editor, Dainik Jan Express, Kanpur against Government of U.P. (13/211/15-16)
8. Suo-motu cognizance w.r.t. attack on Shri Dharamveer, T.V. Journalist and Vice President of Press Club in Siddarthnagar (U.P.)
9. Suo-motu cognizance w.r.t. attack on Shri Abhinav Rajan Chaturvedi, Photo Journalist of Dainik Jagran in Ghaziabad (13/52/16-17)
10. Suo motu cognizance with regard to assault on Smt. Rashmi Patil, Editor of Karnataka Kahale (Kannada daily) by miscreants at Bijapur. (13/153/15-16)
11. Suo motu cognizance w.r.t. attack on the office and printing press and Media persons of Mathrumbhumi, Kerala on 31.5.16. (13/55/16-17)
12. Complaint of Shri Mohan Sharma, Senior Journalist, Editor, Dainik Rajasthani Chirag and Saptahik Kranti Bigul and Shri Manoj Sharma, Editor, Dainik Rajasthan Pradeep, Bikaner Rajasthan. (13/190/15-16)
13. Complaint of Shri Sanjay Gupta, Correspondent, Dainik Samarth Sahara, Sagar, Madhya Pradesh against Block Medical Officer, Sagar, M.P. (13/22/16-17)
14. Complaint of Shri Jyotindra Narayan Singh, Journalist, Khagria (Bihar) against Block Development Officer, Khagria. (13/7/16-17) N
15. Suo motu cognizance w.r.t. killing threat to Shri Rajesh Singh, Journalist, Dainik Jagran in Bihar. (13/51/16-17)

16. Complaint of Shri Mahendra Agarwal, Editor/Printer, Kootchakra, Lucknow against Shri Atul Shah, Correspondent, Dainik Jagran and Anti-social elements. (13/164/15-16)
17. Complaint of Shri Jyotindra Narayan Singh, Journalist, Khagria (Bihar) against Block Development Officer, Khagria. (13/7/16-17) N

Inquiry Committee meeting held on 3-5 October, 2016 at New Delhi

18. Complaint of Shri Afroj Ali, Journalist, Dainik Aaj, Shahjahanpur against President, Nagar Panchayat, Meeranpur, Katra., Shahjahanpur. (13/166/15-16)
19. Complaint of Shri Vishnuchand Gupta, Journalist/RTI Activist, Bijnour against Shri Ashok Sharma, Sangrah Ameen, Najibabad, UP (13/16/16-17)
20. Complaint of Shri Om Prakash Baghel, Chief Editor, Duniya Ek Nazar Main, Aligarh, UP against Anti-social elements. (13/200/15-16)
21. Complaint of Shri Vireshpal Singh, Journalist, Brave News, Shahjahanpur, UP against the Police Authorities (13/35/16-17)
22. Complaint of Shri Sayed Naeem, Chief Editor, Samadhan Samachar against I&PRD, Lucknow (13/34/16-17)
23. Complaint of Shri Anurag Kumar, Editor, Sri Ramjanki Times, Fatehpur, UP against the Owner, Bindki Gas Agency and Police Authorities. (13/36/16-17)
24. Complaint of Shri Basant Kumar, Owner/Printer, Prakash Bulletin against Shiv Kutiya Samiti and RNI (13/8/16-17)
25. Complaint of Shri Raghunath Singh, Dy. General Manager, Rajasthan Patrika, Jaipur against Government of Rajasthan. (13/188/15-16)
26. Complaint of Shri Anurag Mishra, Journalist, UP against the Police authorities (13/27/16-17)
27. Complaint of Shri Jitendera Singh, Journalist against Police authorities. (13/19/16-17)
28. Complaint of Shramjivi Patrakar Union, Bahraich, UP against the District Magistrate and Police authorities. (13/5/16-17)
29. Suo-motu cognizance w.r.t. restriction on media in National Institute of Technology, Srinagar (13/4/16-17)

PRESS COUNCIL OF INDIA

Sl. No. 1

F.No.13/120/15-16-PCI

Shri Pranab Sarkar,
Secretary,
Tripura Journalists Union,
Agartala.

The Chief Secretary,
Government of Tripura,
Agartala.

Secretary,
Home(Police) Department,
Government of Tripura,
Agartala.

The Director General of Police,
Tripura Police,
Agartala, Tripura

The Superintendent of Police,
West Tripura, District Agartala,
Tripura.

The Superintendent of Police,
District Khowai, Tripura.

Shri Pankaj Chakraborty,
Deputy Magistrate,
District Khowai(Tripura).

The Officer-in-Charge,
Khowai Police Station,
Khowari(Tripura).

Adjudication

Dated 17.11.2016

This complaint dated 10.9.2015 has been filed by Shri Pranab Sarkar, Secretary, Tripura Journalists' Union and Editor of Headlines Tripura, Agartala, West Tripura against Shri Pankaj Chakraborty, DCM, Khowai for allegedly using filthy and derogatory comments against media on Facebook on 18.8.2015 and inaction of the police. According to the complainant, the respondent initially abused West Bengal Chief Minister Ms. Mamta Banerjee repeatedly in the Facebook posts and at a stage newspapers of Tripura published the news story based on the protest launched by Trinamool Congress. The complainant has alleged that when news was published the respondent criticised media out of the way and slammed the newspapers terming them as "Toilet Papers" and made some derogatory comments against journalists and media community as a whole on the Facebook. The complainant has submitted that the issue was brought to the notice of Chief Secretary and Chief Minister seeking action but nothing was done. Shri Pankaj Chakraborty, Sr. DM's remarks against media led to abuse and assault of their media persons. The complainant submitted that the matter was brought to the notice of S.P., West Tripura, on 21.8.2015 who on the same date sent the complaint to the S.P., Khowai for taking necessary action as per law. However, the OC, Khowai, PS informed on 23.8.2015 that complaint does not disclose commission of cognizable offence.

The Council vide letter dated 30.9.2015 seeks response from the Government of Tripura.

Comments of Shri Pankaj Chakraborty, Sr. Deputy Magistrate

In response to the Council's Notice dated 30.9.2015, the respondent Shri Pankaj Chakraborty, Sr. Dy. Magistrate, Khowai(Tripura) vide his undated reply while expressing his gratitude for seeking his views in the matter has stated that none of the print or electronic media, not any journalist or anyone from the press community had taken pain of asking or consulting him about his views or comments or clarification to verify the reason or intention or interpretation or meaning of his alleged post or any other post of his strictly personal Facebook wall. He has further stated that, in this case, any misinterpretation or misunderstanding or confusion could have been clarified at the very beginning if he would have consulted by the complainant or by any quarter of press or media because there was no issue at all with any of his post except some misperception or misinterpretation or misunderstanding by the complainant as well as by the very few quarters of media. According to the respondent, he strongly believe that no media would require to take any pain of publishing such criticising, false, baseless, defamatory news items and even personal slur, nor the complainant would require to take the pain of moving up the level of the PCI to resolve the issue, which has arisen totally out of misperception or misinterpretation. The respondent categorically mentioned that he never criticized media nor he slammed or termed any newspaper as "Toilet Paper", nor he made any derogatory comments against any journalist or media community as whole, neither in his Facebook wall (which is absolutely his personal one and not official in any manner), nor anywhere else, ever at all. In none of his Facebook post he had ever meant any newspaper as Toilet Paper. The respondent has stated that the alleged post was meant for only his Facebook friends and no one else but unfortunately that post was totally misinterpreted and misjudged by some quarters. The respondent has alleged that the few local including complainant's newspaper continuously published and publicised totally false, baseless bogus, highly objectionable and defamatory news items without verification to defame his personal and social image and position. The complainant has submitted that being in such unwanted and unexpected situation he had clearly stated and clarified in his subsequent Facebook post on 21.8.2015 that "if anybody or any group of persons misunderstood that he had meant "Newspaper" as "Toilet Paper" in his Facebook Wall, ever, in any manner, then it might be the wrong-presumption or misperception or misinterpretation by such persons(s) and he is sorry for that". He further submitted that he had also withdrawn any of his post(s) from his facebook wall, which might have hurt some quarter, completely unknowingly and unintentionally. He has further submitted that with regard to the allegation that three media persons were abused and assaulted followed by his comment, the respondent has stated that neither had he related to any such incident in any manner nor he is aware of such issue till date. However, he strongly condemns any and all incidents of abusing or assaulting any media persons.

Shri Pankaj Chakraborty, Sr. Dy. Magistrate, Khowai(Tripura) in his further comments dated 4.7.2016, while reiterating his earlier comments, stated that he had never meant or indicated or pronounced or named or criticised anything adverse neither to any media not he had slammed or termed ever any newspaper as Tiolet Paper not had ever made any derogatory comments against any journalist or any media community as a whole neither in his facebook wall nor anywhere else.

Comments of Asst. Inspector General of Police (Crime), Tripura

Shri Lalhminga Darlong, Assistant Inspector General of Police (Crime) on behalf of Director General of Police, Tripura vide his letter dated 2.7.2016 addressed to Home

Department, Govt. of Tripura and a copy endorsed to PCI submitted that on perusal of the Khowai PS GD Entry it is seen that OC Khowai PS had examined the complaint and found that the contents of the complaint do not disclose the commission of any cognizable offence as such, FIR could not be registered on the basis of said complaint of Mr. Pranab Sarkar. It is further mentioned in the GD that informant was informed that he could approach the competent Court for filing a complaint. He further submitted that the Hon'ble Supreme Court of India on 24th March, 2015 in Shreya Singhal vs. UOI, reported in (2015) 5 SCC 1, declared section 66A of Information Technology Act, 2000 as unconstitutional and struck it down.

Comments from Joint Secretary, Govt. of Tripura

Shri N.C. Sharma, Joint Secretary to the Government of Tripura vide his letter dated 6.7.2016 addressed to the Principal Resident Commissioner, Tripura Bhawan, New Delhi has stated that as far as the allegation of terming the newspapers as Toilet Papers against Shri Pankaj Chakraborty is concerned, it appears from the enquiry report of the DM & Collector, Khowai that Shri Pankaj Chakraborty denied making such comments. Further, the enquiry report mentions that Shri Chakraborty apologized for his comments posted on the facebook which might have hurt others feelings.

Statement of Tripura Journalist Union

Shri Pranab Sarkar, General Secretary, Tripura Journalists Union vide his undated letter submitted a statement of the Tripura Journalist Union concerning attacks on journalists by anti-social elements and police inaction. He further submitted that incidents of assault and threat have taken place at various other occasions and places in Tripura. He has requested the Council to direct the Government of Tripura to enlist all cases of violation of rights of journalists, attacks and intimidation occurred over a period of 10 years in the state.

He also submitted statement of the Tripura Journalist Union concerning complaint against Shri Pankaj Chakraborty, a senior official of the Tripura Government. He has submitted that the derogatory posting of Shri Pankaj Chakraborty was not a spurt or an isolated act as his tirade was preceding series of reports against certain individuals working under the Khowai, District Administration. His intention and discerning use of words like Toilet Paper invited ire of working journalists and newspapers employees in Tripura. He further submitted that the whole gamut was taken to the notice of the DGP, Tripura, SP of Khowai and West Tripura Districts but to no avail. Chief Secretary, Tripura was duly informed but with utter dismay, he too did not follow up the complaints properly.

Comments of State of Tripura

Shri Pravin Srivastava, Chief Resident Commissioner at Tripura Bhawan, New Delhi vide his letter dated 5.9.2016 filed the comments of behalf of the State of Tripura. He stated that the statement in question has been posted by the said officer in his personal facebook page and in his individual capacity and has nothing to do with his official duty. He further stated that Shri Pankaj Chakraborty, in reply to the Show Cause Notice, denied to have commented newspaper as Toilet Paper. However, he apologized for his comment posted in his facebook which might have hurt other's feeling. The enquiry report revealed that Shri Pankaj Chakraborty has posted his apology for unintended hurt caused for his comment in his facebook page and also withdrawn his comment on the same day from his facebook page. He further stated that such clarification post was published in a leading Bengali newspaper 'Dainik Sambad Patrika'

in its issue dated 22.8.2015. In view of the above, the State Government did not take any departmental action against him.

Report of the Inquiry Committee

Following an adjournment dated 13.7.2016, the matter came up for hearing before the Inquiry Committee on 6.9.2016 at New Delhi. Shri Pranab Sarkar, the complainant appeared in person while Shri Pankaj Chakraborty, Sr. Dy. Magistrate, Khowai (Tripura) along with Smt. Rituraj Biswas, Advocate appeared for the respondent.

The Inquiry Committee has heard the complainant as also the representative of the respondents. It is the contention of the complainant, Shri Pankaj Chakraborty that he never put the offending piece in any newspaper but put that in his facebook wall meant for his facebook friends and no one else and hence the subject matter of the complaint is not within the jurisdiction of the Council. The Inquiry Committee does not find any merit in this submission. It is an admitted position that Shri Pankaj Chakraborty mail account had written as follows:

“Aunty, since yesterday was the Independence Day, therefore many toilet papers has not been printed today. Therefore, today there was no much opportunity of being scolded, as it used to be every day. I don't know whether tomorrow there shall be privilege for the same again in any toilet paper. If so, it would be good. Without scolding, the physic used to be felt unwell, the brain does not function properly and nothing goes happy. If you kindly take the pain to instruct your nephews to continue scolding regularly on daily basis. Ask them, if possible then to scold me every day by fixing loud speakers at every nooks and corners, so that I may get some publicity free of cost. Then it becomes easier for me to be a VVIP. As you know, they do not have much of brain, hence, will stop after making noises for few days. Therefore, I would request, please tell them not to stop, instead to continue for long. Only then I will be a VVIP.” **(English Translation as provided by the Advocate for the complainant)**

This was printed in the newspaper and a large number of people came to know about it through the newspaper. Hence, what is printed in the newspaper tends to demean the newspapers as a whole and in this way discredits all newspapers. This will seriously jeopardise the freedom of the press. Hence, the Inquiry Committee is of the opinion that the Council has jurisdiction to hear the matter.

It is also the contention of Shri Pankaj Chakraborty that u/s 14 of the Press Council Act, 1978, the Council has jurisdiction over the ‘newspaper’, the ‘news-agency’, the ‘editor’ or the ‘journalist’ and can disapprove the conduct of the editor or the journalist as the case may be. It has been pointed out on his behalf that he is neither an editor nor a journalist and in no way connected with any newspaper or a news agency and hence no action can be taken against him. His submission, in the opinion of the Inquiry Committee, looks attractive but sans merit. Section 15 of the Press Council Act, 1978, inter-alia confers various powers on the Council for the purpose of performing its functions and sub-section 4 thereof, empowers the Council to make such observation as it may think fit in respect of conduct of any authority including the Government. Here, the conduct of a government servant describing the ‘newspaper’ as a Toilet paper is under consideration. The Inquiry Committee is, therefore, of the opinion that it has jurisdiction to make observation in respect of the conduct of Shri Chakraborty.

Shri Chakraborty has prayed for dropping the proceeding in the light of the alleged apology tendered by him. According to him, he had clarified his stand in his subsequent facebook post and clearly stated that “*if anybody or any group of persons misunderstood that he had meant ‘newspaper’ as ‘toilet paper’ in his facebook wall, ever, in*

any manner, then it might be the wrong presumption or misperception or misinterpretation by such person(s) and he is sorry for that". The plea of Mr. Chakraborty, in the opinion of the Inquiry Committee that he did not mean to convey the 'newspaper' as 'toilet paper' is untenable. From what has been printed in the newspaper, his intention was more than clear, he wanted to convey 'newspaper' as 'toilet paper'. Had he said about a particular newspaper, same could be justified but describing all the newspapers as 'toilet paper' is beyond the comprehension of the Inquiry Committee. In the opinion of the Inquiry Committee, Mr. Chakraborty is not right when he said that his facebook wall was misunderstood. Readers understood exactly what he wanted to convey i.e. newspapers are 'toilet paper'. The Inquiry Committee is of the opinion that purported expression of sorrow is not only conditional but intended to get out of the clutches of law. It lacks bonafide. The Inquiry Committee, lastly, has to consider as to the observation which it would like to make in the facts and circumstances of the case. In the opinion of the Inquiry Committee, the expression of sorrow/regret for utterances on the facebook printed in the newspaper is just to avoid the action and lacks bonafide. In the opinion of the Inquiry Committee, the conduct of Mr. Chakraborty is reprehensible and accordingly, it recommends for such action to the Governemnt of Tripura which it deems fit and proper.

The Inquiry committee, accordingly, recommends for disposal of the complaint with the aforesaid observations and directions.

Held

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

Press Council of India

Sl.No. 2

F.No. 13/184/15-16-PCI

Shri Naved Akhtar
Editor, Dainik Shah Times,
Haridwar, Uttarakhand

Vs.

The Chief Secretary
Govt. of Uttarakhand
Dehradun, Uttarakhand

The Secretary,
Home(Police) Deptt.
Govt. of Uttarakhand

The District Magistrate,
Haridwar, Uttarakhand

The Superintendent of Police,
Haridwar, Uttarakhand.

Adjudication

Dated: 17.11.2016

This complaint dated 29.12.2015 has been filed by Shri Naved Akhtar, Correspondent, Dainik Shah Times, Marfat against the Police for its inaction against anti-social elements.

The complainant submitted that on 24.12.2015 while he was on his way to Jaunpur village, in between he stopped to click photograph of an encroachment on the road and while doing so, a lawyer and his colleagues assaulted him, snatched his camera and looted an amount of Rs.25,000/- from him. He alleged that the local Police Station, Landhora had neither lodged his complaint nor taken any action against the assaulters in the matter as one of the assaulters was son of Chairman, Landhora Nagar Panchayat. According to him, the attackers misbehaved with him in the Police Station and Police in collusion with assaulters forcefully sorted out matter in writing by pressurizing him. The complainant also alleged that the attackers had given him death threat.

A Notice for Statement in Reply was issued to the respondent Govt. of Uttarakhand on 21.1.2016 .

Sr. Superintendent of Police, Haridwar vide his letter dated 30.4.2016 informed that the matter was investigated by the Circle Officer, Mangalore, Haridwar. In the Report it had been stated that the complainant had gone to Landhora on 24.12.2015 where the Chairman of Landhora and his lawyer son were supervising construction of a shop on their own land. The JCB machine of Nagar Palika was used for digging the land and an argument took place between both the parties. The complainant along with his correspondent reached the Police Station, Landhora and they mutually consented in writing to arrive at settlement. He further stated that in the Investigation Report, allegation of snatching camera and money had not been proved.

A copy of the written statement was forwarded to the complainant for counter comments on 16.5.2016.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016. While the complainant was not present, Shri Rajeev Mohan, DSP on behalf of Sr. Superintendent of Police, Haridwar and Shri Manoj Srivastava, District Information Officer on behalf of District Magistrate, Haridwar were present .

The Inquiry Committee has perused the complaint and heard Shri Rajeev Mohan, appearing on behalf of the respondent. It is the allegation of the complainant that while he was taking photographs of misuse of the JCB machine of Nagar Palika, its Chairman and his son assaulted him, snatched his camera and an amount of Rs.25,000/- was looted from him. According to him, he lodged the report to the police, but no action against those people who assaulted him, was taken. The Senior Superintendent of Police, in his report dated 30.4.2016, has stated that the complainant had gone to the site where the Chairman of Landhora and his lawyer son were carrying out construction of shop in their own land, where the JCB machine of Nagar Palika was used for digging the land. An argument took place between the complainant and the Chairman of the Nagar Palika and his son, and when the police reached there, they arrived at a settlement and, accordingly, no further action was taken. The complainant has averred that he was forced to enter into settlement, and he was threatened to be killed if he pursues the matter. In the facts and circumstances of the case, the Inquiry Committee is of the opinion that Superintendent of Police, Haridwar, reinvestigates the allegation made by the complainant and take such appropriate action, as permissible in law. The Inquiry Committee makes it clear that it has not expressed final opinion in regard to the claim made by the complainant and it is for the Superintendent of Police, Haridwar, to consider and decide the same in accordance with law. The Inquiry Committee, accordingly, recommends to the Council for disposal of the complaint in the aforesaid term.

Held

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

Press Council of India

Sl. No.3

F.NO. 13/183/15-16-PCI

Shri Sunil Kumar Rai,
Editor/ Chief Correspondent
Najar Ki Najar
Hindi Weekly
Delhi

Directorate of Information & Publicity
Govt. of NCT of Delhi
Block No IX, Old Sectt.,
Delhi-110054

Adjudication
Dated 17.11.2016

This complaint dated 30.12.2015 has been filed by Shri Sunil Kumar Rai, Editor/ Chief Correspondent, Najar Ki Najar, (Hindi, Weekly), Delhi against the Directorate of Information & Publicity, Govt. of NCT of Delhi, for depriving him of the Press Accreditation Card. According to the complainant, he had fulfilled all the formalities with the DIP for issuance of Press Accreditation Card in 2008. On 10.01.2013 the Delhi Press Accreditation Committee had asked him to submit 45 copies of the Hindi weekly. Regardless of submission of all required documents, without any Notice, the complainant has been denied of the Press Accreditation Card. Again on 4.06.2013 the Complainant had received another letter from the DIP asking for the online submission of the news clippings and photographs published in the last twelve months which he again submitted on 5.06.2013 but even after that no press accreditation card was issued to him. After that the complainant was verbally asked by the Directorate to submit the Eligibility Card which was submitted on 15.10.2014, after which the DIP through its letter dated 15.12.2014, communicated the complainant that as an FIR was pending against him so the Press Accreditation Card cannot be issued to him. The complainant after receiving such response from the DIP wrote to the DIP referring to the Orders of the Press Council of India, which states *that the press accreditation card cannot be denied to person just because an FIR is lodged against the applicant unless he is proved guilty*, but still the Press Accreditation card was denied to him. The complainant submitted that while this entire process of application and denial of issuing of the Press Accreditation Card was on, the DIP issued him a provisional press card several times, and each time the card was valid for three months. So he is unable to understand that either his accreditation card in not being issued due to some ill-willed officials at the DIP, because if he is not eligible for the Press Accreditation card, then he should also be denied the provisional press card, which has been issued to him several times in the past, and also by not abiding by the orders of the PCI the DIP is disobeying the PCI.

Show Cause Notice was issued to the respondents on 21.03.2016

Written Statement

In response, the Deputy Director of the DIP filed a written statement on 25.4.2016 stating that Shri Rai had applied for the Press Accreditation card on 19th February 2008 and after that, his application was sent for police verification to the DCP's office, it was brought to the notice of the DIP that an F.I.R. is lodged against the applicant, Shri Rai and the matter is in the Court. However, the Directorate agreed to issue a temporary press card to Shri S.K. Rai as he submitted that he will never breach the rules of the DIP and assured of returning the press card if found of misusing the card. However, when the matter was placed before the Delhi Press Accreditation Committee (DPAC) meeting Shri S.K. Rai's case was rejected as he was found to be booked under some charges and his case is pending in the Court of Law. But, as the Directorate was made aware about PCI's

order, the Directorate asked Shri Rai to file an application for the Press Accreditation Card and a temporary press card was issued to him and eventually Shri Rai was issued with four temporary press cards by the Directorate. Later, Shri Rai was asked by the DPAC to submit press clippings, published under his name and DPAC in its meeting on 3.7.2013 rejected /disposed of his case as they found the case to be ineligible under rule-12 of the Delhi Press Accreditation Rules, 1986. In its written statement DIP also referred to an earlier letter dated 17.09.2013 addressed to the Council, in which it has communicated Council that the application of Shri Sunil Kumar Rai for the issuance of Press Accreditation Card was rejected by the DPAC and the Committee was in the opinion to take action against Shri S.K. Rai for indulging in unprofessional activities and resorting to blackmailing tactics which is unbecoming of a journalist.

Counter Comments

The complainant vide his letter dated 12.5.2016 submitted that the allegation made by the DIP against him is false and baseless as he had never requested the Directorate for issuing him a temporary/provisional press card. Instead the Directorate has issued him the temporary card because his application was delayed. He had never breached any rules of the Press Act and alleged that by not issuing him or rejecting his application for issuance of the regular press accreditation card on the basis of an FIR pending against him in the Court; itself is a breach of the Orders of the Press Council of India.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Despite service of notice, the complainant has not chosen to appear. Smt. Urmila Baniwal, Assistant Information Officer appeared on behalf of the respondent.

The complainant is aggrieved by denial of Press Accreditation Card to him by the Government of NCT of Delhi. Ms. Urmila Beniwal who appeared on behalf of the government states that the prayer of the complainant for grant of Accreditation Card was considered by the Delhi Press Accreditation Committee (DPAC) in its meeting held on 18.8.2016 and on account of adverse verification report, his prayer was rejected.

The Inquiry Committee has perused the complaint and all connected papers and is of the opinion that the decision taken by the DPAC in not granting Accreditation Card to the complainant, cannot be faulted.

The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

Held

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

Press Council of India

Sl. No. 4

F.No. 13/192/15-16-PCI

Shri Ramesh Chandra Mishra,
Editor, Prahlad Nagri,
National Hindi Monthly Megazine,
Hardoi, Uttar Pradesh

1. The Chief Secretary
Govt. of Uttar Pradesh,
Uttar Pradesh
2. The Secretary
Home (Police) Deptt.,
Govt. of Uttar Pradesh, U.P.
3. The Director General of
Police, Uttar Pradesh, U.P.
4. The District Magistrate,
Distt.Sonbhadra, U.P.
5. The Superintendent of
Police, Sonbhadra, U.P.
6. The SHO, Police Station,
Anpara, Sonbhadra, U.P.

Adjudication

Dated 17.11.2016

This undated complaint received in the Secretariat on 5.1.2016 has been filed by Shri Ramesh Chandra Mishra, Editor, PrahladNagri, Hardoi, Uttar Pradesh against the Police for allegedly harassing him by implicating him and his family in false cases.

According to the complainant, he went to Sitapur to meet Smt. Geeta Pathak to receive payment in lieu of publication of advertisement released by her in his paper. She made him move around here and there in her Bolero without giving him payment. Later, he got information from Mohammadi Police that Smt. Pathak has taken the vehicle on rent and that vehicle is still untraceable. The complainant submitted that he has no information about that vehicle but the Police has been continuously harassing him and allegedly conspiring to implicate him in a false case. The complainant stated that he has started a campaign against evil-doings of Smt. Pathak alias Phuljhara through his newspaper and harassment by Police is a part of conspiracy to stop him from publishing news against her anti-social activities. The complainant requested to do justice in the matter.

Notices for Statement in Reply were issued to the respondent-Govt. of Uttrakhand on 7.3.2016.

Reply of Superintendent of Police, Khiri

The Superintendent of Police, Khiri vide letter dated 26.4.2016 informed that the matter was investigated by the Circle Officer, Mohammadi. In the Report it is found that the complainant has himself given the Bolero vehicle owned by Shri Dinesh Singh to his acquaintance, Smt. Geeta Pathak on rent at Rs. 20,000/-p.m. but she paid the rent only

for two months. The respondent further informed that while asking for remaining payment by Sh. Dinesh, the complainant allegedly threatened to kill him. In this regard, Shri Dinesh filed written complaint in Police Station and after prompt action taken by the Police, the vehicle was traced and given back to his owner. After getting suspicious on the complainant's role, in this whole episode, police looked out for complainant and complainant with a view to pressurize the police filed this exaggerated complaint before the Press Council of India.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Despite service of notice, the complainant has not chosen to appear while Shri B.P. Gautam, Assistant Direction, I&PRD, Lakhimpur Khiri, U.P. and Shri Manoj Kumar yadav, Circle Officer, Mohmaddi appeared for the respondents.

The Inquiry Committee has perused the complaint and all other connected papers. The allegation of the complainant is that for writing against one Smt. Pathak, he is being harassed by the police. From the report of the Superintendent of police, Khiri, it appears that the complainant had given one vehicle belonging to one Shri Dines Singh, on rent to Smt. Pathak and said Smt. Pathak, after giving rent for two months, stopped paying the same. It seems that the complainant, in order to put pressure on Smt. Pathak, has made vague allegation of harassment by the police. The Inquiry Committee is of the opinion that the allegation made by the complainant is absolutely false and no action is called for in the matter.

The Inquiry Committee, accordingly, recommends to the Council 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

Sl.No. 5

F.No. 13/105/15-16-PCI

Shri B.K.Avasthi
Staff Reporter, National Sahara,
Chairman, Patrakar Press Parishad,
Gautambudh Nagar

Vs.

Shri Naresh Yadav,
Pradhan, Sorkha

ADJUDICATION
Dated: 17.11.2016

This complaint dated 8.8.2015 has been filed by Shri B.K.Avasthi, Staff Reporter, Rashtriya Sahara and President, Patrakar Press Parishad (Regd.), Noida (Gautambudh) against Shri Naresh Yadav, Pradhan, Sohrakha for allegedly planning a conspiracy to kill him and his family as a reprisal measure due to his critical writings.

According to the complainant, the villagers of Sohrakha has handed over many documents on 28.7.2015 with regard alleged illegal sale of village land worth of Rs. 500 crore by Shri Naresh Yadav, Gram Pradhan and a Report to this effect was filed at Sector 49, Noida Police Station. The complainant further informed that a report based on facts was published in this regard on 29.7.2015 in Rashtriya Sahara. After the publication on 7.8.2015, he came to know that Shri Naresh Yadav is planning a conspiracy to kill him and his family. The complainant informed that there have been several incidents of brutal attacks on journalists in the State by the mining and land-mafias and many journalists have even lost their lives while reporting. In view of the threats to journalist for exposing land mafia, the complainant requested the Council to look into the matter and take strict action.

Notices for Statement in Reply were issued to the Government of U.P. and Shri Naresh Yadav, Pradhan on 1.2.2016.

Reply of Sr. Superintendent of Police, Gautambudhnagar

In response, the Sr. Superintendent of Police, Gautambudhnagar vide letter dated 22.2.2016 informed that a case No. 187/14 was registered against Shri Mukesh Yadav and others U/S 447, 427, 506 IPC in Police Station, Sector 49, Noida on 27.3.2014. After investigating the matter, the Report is filed in court on 26.6.2015. The respondent further informed that case No.98/15 was filed by Shri Ranveer Samar Lekhpal, Tahsil Dadri, Gautambudh Nagar against Inder, Gajendra, Chetan, Bijan, Maisi, Naresh Pradhan, Sanjay and Aajad Noori residents of village Sorkha U/S 420, 447, 34, IPC and 3/5 PPAct on 3.2.2015 in Police Station, Sector-49, Noida. After examining the matter Charge Sheet has been filed against Aajad Noorani, Maisi, Vijjan, Indra, Chetan and Gajendra on 7.12.2015.

A copy of the written statement was forwarded to the complainant on 7.3.2016 for counter comments. The complainant was requested vide Council's letters dated 4.2.2016 and 9.3.2016 and 21.4.2016 to provide photocopy of the registration of Patrakar Press Parishad but he did not file the solicited documents.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. The complainant, Shri B.K.Awasthi was present and from respondent side, Shri

Bachchu Singh, City Magistrate and Shri Sandeep Singh, CO-III (Noida) appeared before the Committee.

The Inquiry Committee has heard the complainant as also the City Magistrate, Noida and the Circle Officer (CO), Noida-III and has perused the complaint and the connected papers. It is the allegation of the complainant that for his writing against one Shri Naresh Yadav, he (Naresh Yadav) and his accomplice have planned to kill him. The allegation made by the complainant is absolutely vague and no action on the basis of such allegation is possible to be taken. However, in case, in future, the complainant gets any specific and definite threat, he shall inform to the police in writing, giving the details thereof. In case, it is done, the concerned police station shall take action, as permissible in law.

During the course of hearing the complainant had produced a letter and the card purportedly given by the Journalist Press Council (India). The name of the organization is deceptive and likely to be confused with the Press Council of India, a body constituted by an Act of Parliament. This needs to be stopped and accordingly the Inquiry Committee directs the authorities to take such action as are permissible in law. The Inquiry Committee, accordingly, recommends to the Council for dismissal of the complaint with the aforesaid observation.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to **Dismiss** the complaint with the observation made therein. A copy of the adjudication be sent to the Commissioner of Police, U.P. for appropriate action.

Press Council of India

Sl.No. 6

F.No. 13/101/15-16-PCI

Ms. Rukhsar,
Special Correspondent,
Dainik Hukumat Express,
Shahjahanpur, UP

Vs.

1. The Chief Secretary,
Govt. of Uttar Pradesh
Uttar Pradesh.
2. The Secretary,
Home (Police) Deptt.,
Govt. of Uttar Pradesh, UP
1. The Director General of
Police, Uttar Pradesh, UP
4. The District Magistrate,
Distt. Shahjahanpur, UP
5. The Superintendent of Police
Shahjahanpur, UP

This complaint dated 2.8.2015 has been filed by Ms. Rukhsar, Special Correspondent, Dainik Hukumat Express and Divisional Incharge of JCB Focus Web News Channel, Kanshiram Colony, Shahjahanpur, U.P. against the anti-social elements who are allegedly conspiring to kill her as a reprisal measure due to her critical writings.

She submitted that a lady, Ms. Rehana had been conspiring to kill her The newspaper, Dainik Hukumat Express exposed in the scandal of Samajvadi Pension Yojna her concerning, Ms. Rehana and her accomplices harbor animosity against her and are planning to murder her in garb of religion in wake of the fact that through her paper she had exposed the anti social activities taking place in Kashiram Colony.

The complainant further informed that a failed attempt of murder was carried out on her on 29.1.2016, thereafter her younger brother was beaten by them in connivance with the Ajeejganj Police without any complaint. The complainant submitted that she drew the attention of the District Administration in this regard but no action has been taken. The complainant apprehended danger to her family members' lives and fears her implication in false cases and requested the Council to take strict action against the culprits.

A Notice for Statement in Reply was issued to the respondent Govt. of U.P. on 3.3.2016.

Reply of Superintendent of Police, Shahjahanpur

In response, the respondent Superintendent of Police, Shahjahanpur vide letter dated 22.4.2016 informed that the matter had been investigated by the Circle Officer, Shahjahanpur. The Officer informed that the colleague of the complainant, Shri Rasheed, extorts money by blackmailing people in the garb of journalism.

He further informed that Ms. Rukhsar and her family doesn't have good reputation in the society. They are habitual of filing false cases against local people and Ms. Rukhsar has a quarrelsome nature. The complainant along with her colleague Mr. Rashid misuse their position as journalist.

Recommendation of the Committee

The matter came up before the Inquiry Committee on 7.9.2016 at New Delhi. The complainant was present while there was no appearance on behalf of the respondent side.

The complainant claims to be the Special correspondent of Dainik Hukumat Express, Shahjahanpur, U.P. and her grievance is that for her critical writings, anti-social elements are conspiring to kill her. The Superintendent of Police, in his Report, has stated that the complainant, in connivance with one Shri Rahid, is mis-using her position as journalist. The allegation made by the complainant is too vague to be taken note by the Council. The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

Held

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

Press Council of India

Sl.No. 7

Shri Umesh Sharma
Managing Editor,
Dainik Jan Express,
128/45, H-2, Block, Kidwai Nagar,
Kanpur, UP. **Vs.**

F.NO. 13/211/15-16-PCI

1. The Secretary
Home (Police) Department
Uttar Pradesh Administration
Lucknow, UP.
2. The Chief Secretary
Uttar Pradesh Administration
Lucknow, UP.
3. The Police General Director
Uttar Pradesh Police
Headquarters,
Lucknow, UP.
4. The Police Chief
Kanpur Nagar
Kanpur, UP.
5. The District Magistrate
Kanpur
UP.
6. Shri Niraj Yadav
Sub-Inspector, Police Line
(Ex- police station chief, Juhi
Police Station, Kanpur)
Police Line Kanpur Nagar
Kanpur, UP.

ADJUDICATION

Dated: 17.11.2016

This complaint dated 15.02.2016 has been filed by Shri Umesh Sharma, Managing Editor of The Dainik Jan Express, Kanpur. The complainant submitted that he uses the print media to voice up issues concerning public welfare. On 14.02.2016 the complainant went to attend a marriage function in late night, he was informed that the police had detained a youth at the Juhi police station under some minor charges and the detainee was being badly tortured by the police. As the complainant went to the Juhi police station to inquire about the incident, he was abused by one of the police staff and as he wanted to file a complaint against the ill-treatment by the police with Shri Niraj Yadav, the then SHO, Juhi Police Station, Kanpur, the complainant was forcibly pushed out of the police station and was verbally abused by a few officers of the police station. During this entire incident that took place at Juhi Police station, Kanpur, the complainant was injured and his mobile phone was damaged. Shri Niraj Yadav also alleged to have threatened the complainant to stay out of the police matters who has some personal grudges against the complainant as he in the past had published certain critical news item against him. Several times he had threatened the complainant to implicate him in false cases. The complainant had also filed his grievance with the appropriate authority. Aggrieved by the incident the complainant approached the Council for justice.

Written statement from the respondent

A Notice for statement in Reply dated 07.04.2016 was issued to respondents to which the SSP, Shri Salabh Mathur, Kanpur Nagar, Kanpur, UP, vide his written statement dated 12.05.2016 submitted that the matter was investigated by the Kshetra Adhikari, Shri A.K. Singh, Babupurba, Kanpur Nagar and the inquiry report dated 6.05.2016 stated

that on 14th February 2016 one youth named Gunnu was arrested in an incident of road rage and was taken to the police station. The complainant, Shri Umesh Sharma along with his friends reached Juhi Police Station where they misbehaved and pressurized the Police to release Gunnu. On being informed about this development, Shri Niraj Yadav, the then SHO of Juhi Police Station, called up the complainant over phone and uttered some bad words to him and for that Shri Niraj Yadav had been transferred to another department as a disciplinary action. Thus the matter was investigated and action has been taken against the accused officer as per the law.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. The complainant Shri Umesh Sharma was present whereas Shri Shanti Ommiskla, Advocate appeared on behalf of the respondent, Shri Neeraj Yadav and Shri A.K.Singh, Circle Officer represented the SSP, Kanpur.

The Inquiry Committee has heard the complainant, the counsel for the respondent Shri Niraj Yadav and the Circle Officer, Shri A.K. Singh and has perused the complaint, the report of the Superintendent of Police and all other connected papers. It is the allegation of the complainant that while he had gone to the Police Station in connection with the arrest of a person, the SHO not only abused him but the entire journalistic fraternity. The Superintendent of Police, in his report, has stated that a disciplinary proceeding was initiated against the then SHO, Shri Niraj Yadav, in which he had been found guilty. It has been brought to the notice of the Inquiry Committee that said Shri Niraj Yadav has been visited with the penalty of "recordable warning". The Inquiry Committee has perused the Inquiry Report and the misconduct found to have been proved against said Niraj Yadav is very serious in nature. In that view of the matter, the Inquiry Committee feels that said Shri Niraj Yadav had been let off with a minor penalty. In the opinion of the Inquiry Committee, the misconduct proved against said Niraj Yadav calls for a more severe punishment. The Inquiry Committee, accordingly, directs the disciplinary authority to reconsider the quantum of punishment awarded to said Niraj Yadav in accordance with law. The Inquiry Committee, accordingly, recommends to the Council for disposal of the complaint in the aforesaid term.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to **Dispose of** the matter with directions.

Press Council of India

Sl.No. 8

F.No.13/53/16-17-PCI.

Suo-motu cognizance with regard to attack on Shri Dharamveer, TV Journalist and Vice-President of Press Club, Siddarthnagar (U.P.).

ADJUDICATION

Dated: 17.11.2016

The Press Council of India came across a news report appeared in Jansatta newspaper issue dated 22.5.2016 under the caption “अंधविश्वास का पर्दाफाश करने गये पत्रकार की पिटाई”. It was reported in the news report that when a TV Journalist and Vice-President of Press Club, Siddarthnagar-Shri Dharamveer along with his two colleagues reached the Tola Gujar Purva village for exposing a Baba, who was cheating the innocent people in the name of miracle, he and his supporters attacked Shri Dharamveer with lathis and snatched his camera and bike. It was further reported that Shri Dharamveer received serious injuries but no action was taken by the concerned SHO. It was also reported that the journalists of District Press Club met the District Collector, who passed direction to the SHO for filing the FIR and to take necessary action.

No Reply

While taking suo-motu cognizance of the matter, a report on facts of the incident was called for from the Government of U.P. on 3.6.2016 but received no reply.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. The Council took suo motu cognizance when it came to its notice that a journalist had been assaulted while performing his duty. Accordingly, a Report was called for from the Govt. of U.P. Today, Shri Mansha Ram, Additional Superintendent of Police, Sidharthnagar, is present before the Inquiry Committee. He states that on the basis of the report given by the journalist, Shri Dharam Veer, Crime no.355 of 2016 was registered at Sidharthnagar Police Station, under Section 304, 323 and 506 of the Indian Penal Code (IPC), and the police, after investigation, had submitted charge sheet under Section 427, 323 and 506 of the IPC and the matter is pending before the court for trial. The Inquiry Committee takes note of the aforesaid statement of the Additional S.P., and in view of the fact that the matter is pending for trial before the competent court of law, it is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, recommends to the Council for dropping of the proceeding.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop proceeding as the matter is *sub-judice*.

Press Council of India

Sl.No. 9

F.No.13/52/16-17-PCI

Suo-motu cognizance with regard to attack on Shri Abhinav Rajan Chaturvedi, photojournalist of Dainik Jagran in Ghaziabad (U.P.).

ADJUDICATION

Dated: 17.11.2016

The Press Council of India came across a news report appeared in the Indian Express newspaper issue dated 21.5.2016 under the caption "**Photojournalist held hostage, beaten up in Ghaziabad**". It was reported in the impugned news item that a photojournalist of Dainik Jagran was allegedly beaten up and held hostage by unknown persons near Hindon Bridge in Ghaziabad. It was further reported that the police registered an FIR and arrested the supervisor of a construction site in the case. According to the news report, Shri Chaturvedi in his complaint to the Police said that he was taking photos of an under construction elevated road near Hindon Bridge, where some people took him away on gun-point and snatched his camera and mobile. He added that they threatened to bury him alive near Hindon and when he protested, they began beating him and held him hostage for two hours.

No Reply

While taking suo-motu cognizance in the matter, a Report on facts of the incident was called for from the Government of U.P. on 3.6.2016.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 7.9.2016 at New Delhi. Shri Indra Pal Singh, C.O, City I, Ghaziabad, U.P. appeared before the Committee.

The Council took suo motu cognizance of the matter when it came to its notice through a report in the newspaper that a photo-journalist has been held hostage and beaten up in Ghaziabad. A Report was called for from the Government of Uttar Pradesh. Today, Shri Inder Pal Singh, C.O., City-I, Ghaziabad is present. He states that on the basis of the report given by the photo-journalist on 18.5.2016, Crime no.632 of 2016 was registered at S.G.Police Station under Section 147, 148, 307, 342, 504, 427 and 506 of the IPC against eight unknown accused. After investigation, the police submitted the charge-sheet on 16.6.2016 under Section 342, 504, 506 and 427 of the IPC against three accused persons and the matter is pending trial before a competent court of law. The Inquiry Committee takes note of the aforesaid statement of Shri Singh and keeping in mind that the police, after investigation, submitted the charge-sheet against three persons found involved in the incident, it is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, recommends dropping of the proceeding.

Held

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

Press Council of India

Sl. No. 10

F.No.13/153/15-16-PCI.

Smt. Rashmi Patil,
Editor,
Kannada Kahale, Kannada daily,
Bijapur (Karnataka)

The Chief Secretary,
Government of Karnataka,
Bengaluru

The Secretary,
Home (Police) Department,
Government of Karnataka,
Bengaluru

The Director General of Police,
Karnataka Police,
Bengaluru

The Superintendent of Police,
Bijapur, Karnataka

The Station House Officer,
Police Station Golgumbaz,
Bijapur (Karnataka)

Adjudication
Dated 17.11.2016

The attention of the Press Council of India was drawn by one Shri Siddu Subedar vide his email dated 17.11.2015 towards assault on Smt. Rashmi Patil, Editor of Kannada Kahale (Kannada daily) by miscreants on 14.1.2015 at Bijapur. According to him, the lady journalist was manhandled, abused, sexually harassed and beaten up by bricks. She was admitted in Govt. Hospital in Bijapur and discharged on 15.11.2015. He further informed that an FIR No.239/2015 lodged in Golgumbaz Police Station on 14.11.2015 under Section 143, 147, 323, 324, 354, 504, 506 and read with 149 IPC against Iliyas, Hafij, Shabanam, Tyseem and Khairunnisa but no action taken by the police as yet.

Vide Council's letter dated 30.11.2015, the affected-journalist, Smt. Rashmi Patil was requested to establish the authenticity of the letter received from Shri Siddu Subedar. In response thereto, Smt. Rashmi Patil vide her letters dated 28.1.2016 while expressing gratitude for taking action in the matter informed that Shri Siddu Subedar is the General Secretary of Karnataka State Editor's Association and the incident mentioned by him in his email dated 17.11.2015 is true and correct. She informed that the miscreants attacked her and also used filthy language and the matter is now in the court.

The Government of Karnataka was requested vide Council's letter dated 5.5.2016 to intimate the present status of the FIR No.239/2015.

Vide Council's letters dated 17.2.2016 and 5.5.2016, Smt. Rashmi Patil was also requested to provide the related documents and also intimate the present status of the FIR No.239/2015.

Response from P.S.I., Golgumbaz Police Station, Vihayapur

The P.S.I. (L&O), Golgumbaz Police Station, Vijayapur vide his letter dated 6.9.2016 informed that Smt. Rashmi Patil, Editor, Kannada Kahale (Kannada Daily) has filed a complaint on 14.11.2016 which is registered in the books of station with case no. 239/2015 u/s 143/147/323/324/354/504/506, r/w 149 IPC. He has submitted that Charge Sheet has been in the above case and submitted to honourable principle CJM Court Vijaayapur, honourable Court is hearing the matter with CC No. 65/2016.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. There was no appearance from either side, despite service of notice.

The Inquiry Committee notes that by Order dated 17.11.2015, one Shri Siddu Subedar brought to the notice of the Council about sexual harassment and abuses being meted out to a lady journalist. The Council took suo-motu cognizance of that and by letter dated 30.11.2015 requested the concerned journalist to send her response. She, by her letter dated 28.1.2016, has expressed gratitude to the Council for taking action in the matter and informed that after the incident, a case was registered and the matter is now pending in the Court.

As the subject matter of the incident is before the Court, the Inquiry Committee is not inclined to proceed in the matter any further.

The Inquiry Committee, accordingly, recommends to the Council 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

Sl.No. 11

F.No.13/55/16-17-PCI.

Suo-motu cognizance with regard to attack on the office and printing press and media persons of Mathrubhumi, Kottakkal, Malappuram, Kerala.

Adjudication

Dated: 17.11.2016

Shri G. Prabhakaran, Secretary General, Indian Journalists Union vide his e-mail dated 6.6.2016 drew the attention of the Council towards the attack on the office and printing press and media persons of Mathrubhumi the leading national daily in Malayalam at Kottakki in Malappuram, Kerala on 31.5.2016. He stated that a group of people attacked a photographer of Mathrubhumi who was covering a protest demonstration and a road block. The protesters also ransacked the office and the printing press and damaged some vehicle parked in the office. The complainant requested the Council to take steps to stop the attack on media persons and the freedom of the Press.

While taking suo-motu cognizance of the matter, a report on facts of the case was called for from the Mathrubhumi and Government of Kerala on 9.6.2016.

Report of the Mathrubhumi-

In response to Council's letter dated 9.6.2016, the Mathrubhumi vide its letter dated 9.7.2016 had informed the Council that on 31.5.2016 a mob of approx. 200 persons using criminal force broke the main gate and trespassed into their office and destroyed the window panes, pelted huge stones at the glass doors and partitions, toppled and damaged the office furniture and also threatened to kill their staff including ladies. According to him, their photographer, Shri Sajan Nambiar, Mathrubhumi News TV Channel Reporter Shri Naufal and Mathrubhumi TV Cameraman, Shri Prajosh Kumar were carrying out their journalistic work of covering an accident which occurred just outside their Kottakal office. He alleged that these journalists were assaulted and abused by the mob, some of whom can be identified by them. He had informed that thereafter, all three journalists returned to office and thereafter without any rhyme or reason, the angry mob stormed into the office by forcibly opening the gate, attacking the security guards carrying dangerous weapons and pelted stones. He had further alleged that they also destroyed office computer and snatched valuable papers and documents. A car of their News editor was also stolen by the mob. He had intimated that they immediately filed police complaint and the police is investigating the matter. According to him, eight of the miscreants had been arrested and remanded to judicial custody. Two other persons had obtained anticipatory bail. He further stated that the police and the prosecution are conducting the investigation.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 8.9.2016 at New Delhi. Shri P.T.Balan, Dy.Superintendent of Police and Shri Sayed Mahamad. CPO, Narcotics Cell,

Malappuram, Kerala appeared on behalf of the respondent Superintendent of Police, Kerala.

Shri G.Prabhakaran claiming to be the Secretary General, Indian Journalist Union vide email dated 6.6.2016 drew the attention of the Council towards the attack on the office and printing press and media persons of Mathrubhumi at Malappuram, Kerala on 31.5.2016. On the basis of the said communication, the Council took cognizance of the matter and a Report was called for from the Mathrubhumi, and Government of Kerala. A report has been received from Mathrubhumi and from the tenor of the report they seem to be satisfied with the action taken by the police.

Before the Inquiry Committee, Mr. P.T. Balan, Deputy Superintendent of Police, Malappuram, Kerala appears on behalf of the superintendent of Police and states that for the incident Crime No.242 of 2016 under various Sections of Indian Penal Code was registered at Kottaki Police Station. He further states that during the course of investigation, 15 persons have been arrested. The Inquiry Committee is satisfied with the action taken by the police and therefore, not inclined to proceed in the matter any further.

The Inquiry Committee, accordingly, recommends to the Council for dropping the proceedings.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons, findings and adopts the report of the Committee and decides to **Drop the proceedings in the matter.**

Press Council of India

Sl.No. 12

F.No. 13/190/15-16-PCI

Shri Mohan Sharma,
Editor,
Dainik Rajasthani Chirag/
Weekly KrantiBigool,
Bikaner, Rajasthan

Shri Manoj Sharma,
Editor,
Dainik Rajasthan Pradeep,
Bikaner, Rajasthan

Vs.

The Chief Secretary,
Govt. of Rajasthan,
Jaipur, Rajasthan

The Director General of
Anti Corruption Bureau,
Rajasthan, JhalanaDungari,
Jaipur, Rajasthan,

The Director,
I&PRD Deptt.
Rajasthan Govt.
Jaipur, Rajasthan

ADJUDICATION
Dated: 17.11.2016

This complaint dated 21.9.2015 has jointly been filed by Shri Mohan Sharma, Editor, Dainik Rajasthani Chirag/Weekly Kranti Bigool and Shri Manoj Sharma, Editor, Dainik Rajasthan Pradeep, Bikaner, Rajasthan against the Anti Corruption Bureau and I&PRD Deptt., Rajasthan Govt., Jaipur.

The complainants submitted that Shri Govardhan Singh Parihar, a notorious history-sheeter of Bikaner sabotaged their respective newspapers offices and got false case registered against them in Anti Corruption Bureau as a reprisal measure for their critical writings highlighting anti-social activities of Shri Parihar. On the instigation of some politicians, the Anti-Corruption Bureau is engaged in collecting false documents to arrest them. The complainant further submitted that the matter is pending for last six years but the Bureau is unable to collect proof so far against them and is creating trouble by issuing notices continuously to them on the basis of imagination. The complainants alleged that officers of the Bureau had also got their papers blocked for release of advts. by I&PRD, Rajasthan by, intimidating the officials of IPRD. Non release of advt. had caused heavy economical loss to them. The complainant alleged that the FIR was lodged against them was in contravention of provisions of Indian Constitution and PRB Act.

The complainant requested the Council to give direction to concerned authority for disposal of the case filed against them and also to get their papers empanelled for advertisements.

A Notice for Statement in Reply were issued to (i) The Chief Secretary, (ii) The Director General of Anti Corruption Bureau, (iii) The Director, I&PRD, Govt. of Rajasthan on 31.5.2016.

Reply of the Respondent Director, I&PRD, Jaipur

In response, the Director, I&PRD, Jaipur, Rajasthan vide letter dated 11.7.2016 informed that the said three newspapers are recognized by the Department for advertisement. However, their empanelment was suspended on 28.4.2011 after having received a complaint against them. A Committee was set up to conduct an inquiry

against those papers in this regard. Papers empanelment for advts. was restored after the findings of the Committee on 30.5.2011.

Further, the Director General of Anti Corruption Bureau, Rajasthan vide letter dated 30.4.2014 requested for original correspondence of the said newspapers which were sent by the I&PRD Deptt. on 29.5.2014. Now, the original records of the newspapers are available in the Anti Corruption Deptt.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. Shri Mohan Sharma, the complainant was present. Shri G.N. Bhatt, Addl. Director, Rajasthan Information Centre, New Delhi appeared on behalf of the respondent I&PRD, Rajasthan.

In this complaint, the complainants have averred that at the instance of a notorious history sheeter, a false case was registered against the three complainants in Anti-Corruption Bureau. It is the allegation of the complainants that those notorious criminal have got the false case registered for their critical writings. It seems that by an order of Magistrate, the case was registered by the Anti-Corruption Bureau as back as in the year 2010. It is the grievance of the complainant that under the garb of pendency of said case, they are being harassed by the Police. In the fact and circumstances of the case, the Inquiry Committee is of the opinion that investigation of the said case be concluded without unnecessary delay, preferably within a period of three months.

Another grievance of the complainant is in regard to the suspension of empanelment of the newspaper for advertisement by the Director of I&PRD Deptt. In their reply, the respondent admits that the empanelment of the complainant newspaper was suspended but after finding by a Committee, the newspapers were again empanelled. The complainant states that presently their newspapers are empanelled and getting advertisements. The Inquiry Committee is of the opinion that suspension of the newspaper from empanelment entails grave consequences and therefore such power should be resorted with due care and caution. The Inquiry Committee is of the opinion that in the present case such care and caution was not taken.

The Inquiry Committee, accordingly, recommends for disposal of the complaint with the direction to the Director General of Anti Corruption Bureau to conclude the investigation without unnecessary delay preferably, within a period of three months.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to **Dispose of** the complaint with the directions aforesaid.

Press Council of India

Sl. No. 13

F.NO. 13/22/16-17-PCI

Shri Sanjay Gupta
Correspondent
Dainik Samarth Sahara
Sagar, Madhya Pradesh

1. The Secretary,
Govt. of Madhya Pradesh,
Bhopal, MP.
2. The DGP,
Madhya Pradesh Police,
Bhopal, MP.
3. Tehsildar,
Deori
Dist- Sagar, MP.
4. Secretary
Home (Police) Department
Govt. of Madhya Pradesh,
Bhopal, MP.
5. The District Officer,
Dist: Sagar, MP.
6. The Medical Officer, BMO
Government Community Health
Centre, Deori, Sagar, MP.

Adjudication
Dated 17.11.2016

This complaint dated 22.04.2016 has been filed by Shri Sanjay Gupta, Correspondent, Dainik Samarth Sahara, Sagar, Madhya Pradesh, on his behalf, and on behalf of other journalists who visited the Government Community Health Centre, Deori, Sagar, MP on 10.02.2016 after hearing the grievance of Shri Rajaram Patel, SarpanchImjara, that ***“meri bachhi bimar hain aur doctor dwara acha illaj nahi kiya ja raha hain na hi B.M.O dhyan de rahey hain”***. On their visit to the hospital they discovered that the patients were attended by the sweepers in the hospital and on further inquiry they were told by the sweeper she was asked by a nurse to do so and the incident was videographed. The local Tehsildar of Deori, Sagar, Shri BinamRicharia, was informed about this incident and he wrote to the Collector, Sagar, MP, requesting to take appropriate action against such malpractice prevailing in the hospital. It is further submitted by the complainant that they also spoke to the B.M.O of the hospital, Dr. Sandip Gautam for his version, but none of them have had any conversation with the nurse/s of the hospital. On the next day the complainant received a threat call allegedly from a nurse of the health centre asking to delete the video recording and to restrain from publishing anything against the hospital in their newspaper else the nurse will register a complaint with the local police station against the complainant and his fellow journalists for assaulting and misbehaving with her. The complainant and his journalist friends on 12.02.2016 registered a complaint at the Deori Police Station against the threat call and it came to their knowledge that Smt Seema Rajak, who is a nurse at the Govt. Community Health Centre, Deori, was forced by the B.M.O of the Govt. Community Health Centre, Dr. Sandip Gautam, to call the journalists as they have videographed her in the hospital and the video is so bad/indecent that it cannot be shown to anyone or to her. Under such circumstances, she misbehaved with the journalists else she would not make such calls to the complainant and this is the written statement of the nurse was recorded at the police station.

The complainant submitted, being a responsible journalist, he and his journalist friends think that it is their duty to bring out the truth in public and in this case they attempted to bring out the ongoing malpractices and irresponsible work culture of the Govt. Community Health Centre, Deori, Sagar, M.P. but were harassed by the hospital authority. This kind of act is against the freedom of the press and the complainant pleaded the Council to act against such occurrence.

Show Cause Notice dated 11.5.2016 was issued to respondents.

Comments

The Superintendent of Police, Sagar, M.P. in his comments dated 12.9.2016 submitted that an investigation in the matter was conducted by the SDOP, Deori and it has been found in the investigation that the complainant had gone to the hospital for shooting the video but in order to protect him from any future complaint against him, the complainant had made this complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. There was no appearance from either side, despite service of notice.

The complainant claims to be the correspondent of a newspaper namely Dainik Samarth Sahara and it is his allegation that in a story published in the newspaper, he wrote that patients in the hospital are being treated by sweepers. This had infuriated a nurse working in that hospital and has threatened the complainant with dire consequences. According to the complainant, the information was given to the Deori Police Station about the threat given to him but no action was taken.

The Inquiry Committee notes that the Assistant Inspector General of Police (Complaints) by his letter dated 5.9.2006 has sought for adjournment of the case. In the facts and circumstances of the case, the Inquiry Committee is of the opinion that the allegations made by the complainant be enquired by the Concerned Police Station and appropriate action be taken against the persons found responsible.

The Inquiry Committee, accordingly, recommends to the Council for dismissal of the complaint with the direction aforesaid.

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 with the aforesaid direction.

Press Council of India

Sl. No. 14

F.No. 13/7/16-17-PCI

Shri Jyotindre Narayan Singh,
Journalist,
Khadagriya,
Bihar

1. The Chief Secretary
Govt. of Bihar,
Patna (Bihar)
2. The Secretary
Home (Police) Deptt.,
Govt. of Bihar, Patna (Bihar)
3. The Director General of
Police, Bihar Police, Patna,
Bihar
4. The District Magistrate,
Khagadiya, Bihar
5. The Superintendent of
Police, Khagadiya, Bihar
6. Ms. Manju Kumari Kankan,
Prakhand Development
Authority,
PrakhandKaryalayChouthan,
Khagadiya, Bihar

Adjudication

Dated 17.11.2016

This undated complaint which is received by the Secretariat on 31.3.2016 has been filed by Shri Jyotindre Narayan Singh, Journalist, Khagadiya, Bihar against Block Development Officer the BDO, Khagadiya for threatening him. According to the complainant, on 26.3.2016 he reached the office of Prakhand for coverage of news where he witnessed pandemonium as sufficient arrangements were not made by the BDO for panchayat election. He apprised about the situation to the District Magistrate, Shri Saket Kumar over phone who immediately deputed SDO, Sadar for investigation in the matter who too was shocked to see the chaos at Prakhand. Thereafter, SDO, Sadar, inquired about the matter from Ms. Manju Kumari Kankan, BDO. The BDO when came to know he (complainant) has made a complaint, she threatened him in presence of general public. The complainant further alleged that same day after reaching home at night, about dozens of goons with weapons came to his home to threaten and pressurize him to publish news in favour of the BDO.

A Notice for Statement in Reply was issued to the respondent Govt. of Bihar on 26.5.2016.

Comments

The District Magistrate and the Superintendent of Police, Khagariya in their joint comments dated 3.9.2016 submitted that an investigation was conducted in the matter in which the allegations levelled by the complainant found false and baseless. It has been

stated in the investigation report that the complainant was neither threatened nor any abusive language was used by the BDO, Khadagriya.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. Despite service of notice, the complainant has not chosen to appear while Shri Rudreshwar Singh and Shri Gautam Singh, Advocates appeared for the respondents.

The Inquiry Committee has perused the complaint and all other connected papers and also heard the counsel for the State of Bihar who assured the Committee that the District magistrate shall make an inquiry in respect of the allegations made by the complainant and appropriate action as permissible in law shall be taken against the person found responsible.

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

The Inquiry Committee, accordingly, recommends to the Council for disposal of the complaint.

Held

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

Press Council of India

Sl. No. 15

F.No.13/51/16-17-PCI

Suo-motu cognizance with regard to death threat to Shri Rajesh Singh, Journalist, Dainik Jagran in Bihar Sharif (Bihar).

Adjudication
Dated 17.11.2016

The Press Council of India came across a news report which appeared in Dainik Jagran newspaper in its issue dated 20.5.2016 under the caption “बिहार में अब जागरण के पत्रकार को धमकी”. It was reported in the news report that the supporters of JDU’s MLC-Shri Heera Prasad entered into the office of Jagran located in Bihar Sharif and misbehaved with Shri Rajesh Singh and forced him to seek apology from Shri Heera Prasad for publishing news related to his nephew. It was further reported that the supporters of Shri Heera Prasad threatened Shri Rajesh that they would kill him like Siwan based journalist-Shri Rajdeo Ranjan if he does not seek apology from Shri Heera Prasad. According to the news report, a delegation of the journalists while apprising the Hon’ble Governor at Patna about the incident has demanded security for journalist. It was also reported that an FIR was lodged in Laheri Police Station in this regard.

No Reply

While taking suo-motu cognizance of the matter, a Report on facts of the incident was called for from the Government of Bihar on 3.6.2016 but no reply was filed.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. Mr. Rudreshwar Singh, Advocate, Mr. Gautam Singh and Mr. Ranjit Kumar Sinha, Investigating Officer appeared on behalf of the respondent Government of Bihar.

Through the news report, when it came to the notice of the Council that a journalist has been threatened in Bihar, it took suo-motu cognizance of the matter and called for a Report from the State Government. The Counsel for the State Government states that on the basis of the Report given by the concerned journalist a case No. 136/2016 was registered u/s 387/504/34/120B IPC in Laheri Police Station against one known and four unknown persons. The Investigation Officer of the case is present and states that the investigation is going on and Report in terms of section 173 of Cr.P.C. shall be filed within a month.

The Inquiry Committee takes note of the aforesaid **Assurance** and in view of the above, it is not inclined to proceed in the matter any further.

The Inquiry Committee, accordingly, allow the matter to rest.

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 allow the matter to rest.

Press Council of India

Sl. No. 16

F. No. 13/164/15-16-PCI

Shri Mahendra Agarwal,
Publisher/Editor,
Kootchakra,
Lucknow, U.P.

1. The Chief Secretary
Govt. of Uttar Pradesh,
Uttar Pradesh
2. The Secretary
Home (Police) Deptt.,
Govt. of Uttar Pradesh, U.P.
3. The Director General of
Police, Uttar Pradesh, U.P.
4. The District Magistrate,
Distt.Sonbhadra, U.P.
5. The Superintendent of
Police, Sonbhadra, U.P.
6. The SHO, Police Station,
Anpara, Sonbhadra, U.P.

Adjudication
Dated 17.11.2016

This complaint dated 16.11.2015 has been filed by Shri Mahendra Agarwal, Editor/Publisher, Kootchakra, Lucknow against Shri Atul Shah, Editor, Dainik Jagran and others for allegedly manhandling, creating obstructions in collecting and disseminating news, giving death threat over phone as a reprisal measure due to his critical writings. The complainant has also levelled allegation against police authorities for their inaction and his harassment at the hands of Shri Atul Shah, Editor, Dainik Jagran along with his other accomplices in connivance with the police.

The complainant alleged that Shri Atul Shah under the garb of journalism is involved in many immoral and illegal activities, which he has exposed through RTI and newspaper due to this, Shri Shah and his accomplices (Shri Sultan Shayar Khan, Shri Santosh Kareel, Correspondent, Dainik Aaj, Shri Chandramauli Mishra, Correspondent, Jansandesh, Shri Sanjay Dwevedi and Shri Ajay Dwivedi) have been harbouring grudges against him and have been issuing death threats to him often. The complainant further informed that his press office is located in Anpara (Sonbhadra) where he goes for collecting news. On 14.11.2015 when he went to Anpara for his work, Shri Shah and his accomplices assembled there with an intention to physically harm and insult him. He demanded police protection from the SHO of local Police Station who initially refused to provide security but later after great efforts the SHO deputed a personnel to help him in taking out his belongings from his staying place. The complainant alleged that the respondents have gheared him there and although, the Police moved him to safe place but later police also insulted him at the behest of the respondents. The complainant alleged that Shri Ramashankar Yadav, S.I. has not mentioned the whole incident/episode in his G.D. to shield the respondents and he had to return back without collecting news from Anapara due to fear created by the respondents. The complainant apprehends that the respondents in connivance with Police can file false case against him as respondent, Shri Shayar Khan had also filed false and fabricated FIR against him earlier and had

assaulted him in Police station. On his complaint, the Anpara Police has not taken any legal action so far.

A Report on facts of the case was called for from the Govt. of U.P. vide Council's letter dated 29.2.2016.

In response, the Superintendent of Police, Sonbhadra vide letter dated 19.5.2016 has forwarded an Investigation Report conducted by Shri Shitanshu Kumar, SHO, Pipree, Sonbhadra. According to the Report, an inquiry has been conducted on the matter through a team constituted by Police Headquarter (P.G.) as per order of ADGP, Law & Order, U.P. Wherein, it was found that Shri Shayar Khan has registered a case no.654/13 U/S 452, 504, 506, 427 against the complainant in the Anpara Police Station on 6.12.2013. The case has been investigated by Shri DheerendraPratap Singh, Sub-Inspector, N.P. Anpara Police Station and has been sent to the court on 19.3.2014. The matter is pending before the court.

The Report of the Superintendent of Police, Sonbhadra forwarded to the complainant on 28.6.2016 for his counter comments.

Counter Comments

The complainant vide letter dated 17.8.2016 while reiterating his complaint submitted that the Report of the Circle Officer is false and manipulated to hide misdeeds of mafias, tax-evaders and black-mailers who are working in the garb of journalism and misguiding the Council. The complainant attached copies of various complaints filed against the racket of the respondent, Shri Sultan Shayar Khan and Shri Atul Shah. He stated that not only the District Administration but also the Police Administration also protect them.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. Despite service of notice, there was no appearance on behalf of the respondent. The Complainant, however has filed an application for adjournment of the case. In the facts and circumstances of the case, the Inquiry Committee is not inclined to accede to his prayer.

In the complaint, the complainant has alleged that Shri Atul Shah, Editor, Dainik Kagan and others have assaulted him and creating impediment in collecting and disseminating news. A Report was called for and in response thereto, the Superintendent of Police, Sonbhadra has forwarded the Investigation Report conducted by the Circle Officer, Sonbhadra. In the said report, it has been stated that on the basis of the report given by Shri Sahara Khan, a case was registered against the complainant and after investigation, a chargesheet has been submitted and the matter is pending in the Court. The complainant states that the said Report of the Circle Officer is false and manipulated. The Inquiry Committee is of the opinion that it is the Court of competent jurisdiction who shall go into the said issue in the trial. The Inquiry Committee doesn't find any merit in the grievance of the complainant and accordingly, recommends to the Council 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

Sl. No. 17

F.No. 13/7/16-17-PCI

Shri Jyotindre Narayan Singh,
Journalist,
Khadagriya,
Bihar

7. The Chief Secretary
Govt. of Bihar,
Patna (Bihar)
8. The Secretary
Home (Police) Deptt.,
Govt. of Bihar, Patna (Bihar)
9. The Director General of
Police, Bihar Police, Patna,
Bihar
10. The District Magistrate,
Khagadiya, Bihar
11. The Superintendent of
Police, Khagadiya, Bihar
12. Ms. Manju Kumari Kankan,
Prakhand Development
Authority,
PrakhandKaryalayChouthan,
Khagadiya, Bihar

Adjudication

Dated 17.11.2016

This undated complaint which is received by the Secretariat on 31.3.2016 has been filed by Shri Jyotindre Narayan Singh, Journalist, Khagadiya, Bihar against Block Development Officer the BDO, Khagadiya for threatening him. According to the complainant, on 26.3.2016 he reached the office of Prakhand for coverage of news where he witnessed pandemonium as sufficient arrangements were not made by the BDO for panchayat election. He apprised about the situation to the District Magistrate, Shri Saket Kumar over phone who immediately deputed SDO, Sadar for investigation in the matter who too was shocked to see the chaos at Prakhand. Thereafter, SDO, Sadar, inquired about the matter from Ms. Manju Kumari Kankan, BDO. The BDO when came to know he (complainant) has made a complaint, she threatened him in presence of general public. The complainant further alleged that same day after reaching home at night, about dozens of goons with weapons came to his home to threaten and pressurize him to publish news in favour of the BDO.

A Notice for Statement in Reply was issued to the respondent Govt. of Bihar on 26.5.2016.

Comments

The District Magistrate and the Superintendent of Police, Khagariya in their joint comments dated 3.9.2016 submitted that an investigation was conducted in the matter in which the allegations levelled by the complainant found false and baseless. It has been

stated in the investigation report that the complainant was neither threatened nor any abusive language was used by the BDO, Khadagriya.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.9.2016 at New Delhi. Despite service of notice, the complainant has not chosen to appear while Shri Rudreshwar Singh and Shri Gautam Singh, Advocates appeared for the respondents.

The Inquiry Committee has perused the complaint and all other connected papers and also heard the counsel for the State of Bihar who assured the Committee that the District magistrate shall make an inquiry in respect of the allegations made by the complainant and appropriate action as permissible in law shall be taken against the person found responsible.

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

The Inquiry Committee, accordingly, recommends to the Council for disposal of the complaint.

Held

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

PRESS COUNCIL OF INDIA

Sl. No. 18

F.No.13/166/15-16-PCI

Shri Afroz Ali,
Journalist, Dainik Aaj,
Shahjahanpur

The President,
Nagar Panchayat,
MeeranpurKatra, Tilhar,
Shahjahanpur

Adjudication **Dated 17.11.2016**

This complaint dated 27.11.2015 has been filed by Shri Afroz Ali, Journalist against the Chairman, Nagar Panchayat, U.P. for allegedly threatening and harassing him, as a reprisal measure due to critical reporting in connection with misuse of govt. fund by the respondent.

According to the complainant, there was gross misappropriation of the funds allocated for city development and construction work during the year 2013-14. In this regard he published a factual news. Annoyed with this news, the respondent started threatening him and asked him to quit journalism otherwise he will have to leave his house. The respondent further attempted to demolish his house by sending Smt. Bandana Trivedi, Sub-Divisional Officer on 16.6.2015 by declaring complainant's house as the property of Nagar Panchayat, Katra. The complainant had bought the land and constructed the house in the year 1999. When he asked for land record of Katra from Smt. Trivedi, she got miffed. After prolong harassment, this matter was settled when he filed a complaint before the District Officer, Shahjanpur. The complainant further informed that his harassment at the hands of respondent is still continuing who had declared him (complainant) criminal by sending a notice dt.20.11.2015 to him. The Chairman of the panchayat has threatened him to quit journalism if he wants to save his life. The complainant vide his further letter dt. 29.12.2015 requested the Council to take immediate action against the respondent and the concerned authorities who have been continuously harassing him to enable him to discharge his journalistic duties without any fear.

A Notice for Statement in Reply dated 16.12.2015 was sent to the respondent-Govt. of U.P. followed by a reminder dated 28.1.2016 but received no response. The reminder issued to the respondent-SDM, Shahjahanpur was received back undelivered from the postal authorities with the remarks "*SDM – sadar dwara shetra ka naam na hone ke kaaran vapas kiya – mana kiya*"

Complainant further letters

The complainant vide his further letters dated 11.4.2016 and 7.6.2016, while reiterating his complaint has submitted that his harassment is still continuing and requested the Council to take necessary action in the matter.

A copy of the letter dated 7.6.2016 was forwarded to all the respondents on 30.6.2016 for information.

Comments

Shri Manoj Kumar, Superintendent of Police, Shahajanapur vide his letter dated 3.6.2016 has stated that an investigation was conducted by an Inspector in the matter who has submitted his report in which it has stated that since the case is related to Revenue Department (Rajasv Vibhag), with the District Magistrate, Shahajanapur has been requested for conducting a detailed investigation in the matter.

A copy of the aforesaid letter was forwarded to the complainant on 30.6.2016 for information/comments.

Shri Sukesh Kumar Gupta, President, Nagar Panchayat, Shahajanapur vide his undated reply has stated that the allegations made by the complainant are completely false and baseless. In order to safeguard this land encroached by him, the complainant has filed this complaint so as to make pressure on them. He also denied the allegation of the complainant with regard to threatening and abusing the complainant. He has requested the Council to dismiss the complaint being baseless.

A copy of the aforesaid reply was forwarded to the complainant on 15.7.2016 for information/counter comments, if any.

Counter Comments

The complainant in his counter comments dated 29.7.2016, while reiterating his complaint, has stated that the piece of land which has been termed as encroached land by the Nagar Panchayat is not an encroached land but a registered land upon which the complainant has full ownership. He denied accepting the Investigation Report and alleged that it is not based on the truth. He further alleged that the Investigation Report is completely wrong. He has stated that he is not satisfied with the reply filed by the respondents and requested the Council to take necessary action in the matter.

A copy of the aforesaid letter was forwarded to all the respondents on 20.9.2016 for information.

Report of the Inquiry Committee

Following two adjournments, the matter again came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi.

The complainant appears in person. Despite service of notice, respondents have not chosen to appear. It is the allegation of the complainant that because of his critical writings, the respondents are threatening to evict him from his residential premises. It is the assertion of the complainant that he had purchased the land in question by a registered sale deal but without any justification, the respondents have threatened him to evict him from the said land over which he has constructed his house. According to the respondents, the complainant has made construction over encroached land and therefore, liable to be evicted. Be that it as may, the Inquiry Committee is of the opinion that the complainant being in possession of land, may be unauthorised, cannot be evicted without due process of law. Accordingly, the Inquiry Committee directs that the complainant not to be evicted from the land in question without following the due process of law. The Inquiry Committee recommends for disposal of the complainant with the 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 decides to Dispose of the complaint with the aforesaid observations.

Press Council of India

Sl. No. 19

File No.13/16/16-17-PCI.

Complainant

Shri Vishnu Chand Gupta,
Editor,
Rashtriya Nideshak,
Bijnor (U.P.)

Respondent

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

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

The District Collector,
Distrat Bijnor (U.P.).

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

The Tehsildar,
Tehsil Najibabad,
Bijnor (U.P.)

Shri Ashok Sharma,
Revenue Officer,
Tehsil Najibabad,
Bijnor (U.P.).

Draft Adjudication

17.11.2016

Case Summery

This complaint dated 12.1.2016 has been filed by Shri Vishnu Chand Gupta, Editor, Rashtriya Nideshak, Bijnor (U.P.) and RTI Activist against Shri Ashok Sharma, Revenue Officer, Tehsil Najibabad, Bijnor for allegedly misbehaving and threatening to implicate him in false case due to publication of critical writing and seeking information under RTI Act. According to the complainant, he published a news item in his newspaper under the caption "करोडपति बने अमीन की चर्चा" in its issue dated 24.8.2015. Annoyed with this, Shri Ashok Sharma badly misbehaved with him. The complainant not only apprehends danger to his life but also fears that he may be entangled in false case. He has requested the Council to take necessary action in the matter.

Notices for Statement in Reply were issued to the respondent-Government of U.P. on 3.6.2016.

Written Statement

The Tehsildar, Najibabad, Bijnor in his written statement dated 26.7.2016 has submitted that the matter was investigated by the Nayab Tehsildar, Najibabad, who in his report dated 22.7.2016 submitted that the matter was enquired from Shri Ashok Sharma,

Revenue Officer with regard to the complaint. According to the respondent, Shri Sharma in his written reply while denying the allegation levelled against him has alleged that the complainant was blackmailing him. The complainant was also asked to appear before the Tehsil Office who only reiterated his complaint but could not provide any evidence in support of his allegation. With regard to the allegation that he was not being provided with the information under RTI Act, the respondent stated that the complainant may receive response by complaining to the competent officer in this regard. The respondent has also furnished a copy of the written reply of the main respondent-Shri Ashok Kumar Sharma, Revenue Officer dated 23.6.2016 whereby he has submitted that the complainant demanded advertisements amounting to Rs.25,000/- from him and on refusal he threatened to teach him a lesson. Shri Sharma has further alleged that the complainant also published false and fabricated news against him with a view to tarnish his image in the society. According to Shri Sharma (main respondent), the complainant's newspaper "Rashtriya Nideshak" is being published without RNI number, having no circulation. Since the complainant has no other source of income, he collects the money in the garb of advertisement. Shri Sharma has further submitted that neither he holds malice towards the complainant nor he had filed any complaint against the complainant.

The District Collector, Bijnor vide his written statement dated 28.7.2016 has reiterated the reply as submitted by the Tehsildar, Najibabad.

A copy of the written statement was forwarded to the complainant on 8.8.2016 and 11.8.2016 respectively.

Counter Comments

The complainant vide his counter comments dated 6.9.2016 while reiterating his complaint has alleged that the reply of the respondent-Tehsildar and Shri Ashok Sharma, Revenue Officer is based on false and concocted facts. While denying the allegations levelled against him by Shri Ashok Sharma the complainant has requested the Council to take necessary action against the Revenue Officer.

A copy of the counter comments was forwarded to the respondents on 16.9.2016.

Notice issued to the main-respondent-Shri Ashok Sharma, Revenue Officer has been received back undelivered from the postal authorities with the remarks "incomplete address", therefore, complainant was requested vide Council's letter dated 1.7.2016 to provide complete postal address of Shri Ashok Sharma but received no response.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi. While the complainant appeared in person, Shri Bhan Singh, Tehsildar and Shri Ashok Sharma, Collection Ameen (Revenue Officer), appeared before the Inquiry Committee respondent.

It is the allegation of the complainant that for his critical writings against the Ameen he got annoyed and misbehaved with him. The Ameen has appeared and filed his reply and denied the allegations made by the complainant. The complainant as also the Ameen and the Tehsildar, Najibabad are present. The Ameen who is present in person states that he has never misbehaved with the complainant nor will misbehave with him in future. In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further.

Not only this, a letter signed by the Ameen and the complainant has also been produced before the Inquiry Committee, in which they have stated that they have compromised the matter and no dispute exists between them.

From the website of the RNI, it seems that the newspaper, Rashtriya Nedeshak, of which the complainant claims to be the Editor, is not registered with the RNI. The Sub-Divisional Magistrate, Najibabad is directed to look into the matter and take such appropriate action as permissible in law. The Inquiry Committee recommends for disposal of the complaint with the 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 decides to Dispose of the complaint with aforesaid observations.

Press Council of India

Sl. No.20

File No.13/200/15-16-PCI.

Complainant

Shri Omprakash Baghel,
Chief Editor,
Dunia Ek Nazar Mein,
Aligarh (U.P.)

Respondent

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

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

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

The District Collector,
Aligarh (U.P.).

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

The Tehsildar,
Tehsil Kol,
Aligarh (U.P.).

The Station House Officer,
Police Station-Bhadrak,
Aligarh (U.P.).

Draft Adjudication
17.11.2016

Case Summary

This complaint dated 4.2.2016 has been filed by Shri Omprakash Baghel, Chief Editor, 'Dunia Ek Nazar Mein', Aligarh (U.P.) against anti-social elements for allegedly threatening him to kill. According to the complainant, he sought information under RTI Act vide letter dated 6.1.2016 from the District Administration with regard to the notices issued by the District Collector, Aligarh to Shri Tejpal and others for illegal mining. The complainant has further submitted that the Tehsildar, Kol (Aligarh) provided the information on 25.1.2016 in this regard. The complainant alleged that annoyed with this, Shri Tejpal and his associates misbehaved with him and threatened him to kill and also filed a false and fabricated complaint against him before the Deputy District Collector. He has requested the Council to take necessary action in the matter.

Notices for Statement in Reply were issued to the respondents on 29.3.2016.

Written Statement of Sr. Superintendent of Police, Aligarh

The Sr. Superintendent of Police, Aligarh vide his reply dated 7.7.2016 has informed that the matter was investigated by the Superintendent of Police (Rural),

Aligarh, who in his report dated 2.7.2016 submitted that the complainant and Shri Tejpal and others belong to same family. The respondent further informed that Shri Tejpal and others were involved in illegal mining and the matter was investigated by the Patwari-Shri Ravinder Singh in 2014 and a penalty of Rs7,02,940/- was imposed on them by the Officer-in-Charge (Mining)/Additional City Magistrate, Aligarh. According to the respondent, the complainant sought information under RTI Act in this regard due to which a quarrel occurred between them and the local police had initiated action against Shri Tejpal and others under Section 107/116 IPC on 28.3.2016. The respondent has stated that the matter is now mutually settled between both the parties, therefore, no further action is required in the matter.

A copy the written statement was forwarded to the complainant on 12.7.2016 with a request to intimate the Council whether he is interested to pursue his case further but no reply was received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 30.10.2016 at New Delhi. Shri Om Prakash Singh, Dy. S.P., C.O. Khair Police appeared for the respondent.

Despite service of notice the complainant has not chosen to appear before the Inquiry Committee. The Deputy Superintendent of Police, Aligarh is present. Now, the stand of the complainant is that the matter has been settled. In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, recommends for disposal of the complaint.

Held

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

Press Council of India

Sl. No. 21

F.No.13/35/16-17-PCI.

Complainant

Shri Vireshpal Singh,
Correspondent,
Brave News,
Shahjahanpur (U.P.).

Respondents

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

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

The District Collector,
Shahjahanpur (U.P.)

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

The Station House Officer,
Police Station Khudaganj,
Shahjahanpur (U.P.).

Shri Satyapal Yadav,
Sub-Inspector,
Police Station Khudaganj,
Shahjahanpur (U.P.).

Shri Sarafat Hussain,
Sub-Inspector/Chowki Incharge,
Village Nawada,
Police Station-Khudaganj,
Shahjahanpur (U.P.).

Draft Adjudication

17.11.2016

Case Summary

This complaint dated 4.5.2016 has been filed by Shri Vireshpal Singh, Correspondent, Brave News, Shahjahanpur (U.P.) against the police authorities for allegedly threatening to implicate him in false case due to publication of critical writings. According to the complainant, he exposed the irregularities prevailing in the Police Station-Khudaganj through his newspaper and the higher police officers had taken cognizance in this regard due to which their illegal income had stopped. Annoyed with this, Shri Sarafat Hussain, S.I. and Shri Satyapal Yadav, S.I. of Khudaganj Police Station with

an objective to harass him, registered a false complaint in connivance with one, Shri Gautam, nephew of his rival, Shri Dinesh Kumar, Gram Pradhan of his village-Nawada. The complainant further alleged that the respondents vandalized his residence at night in his absence and misbehaved with his wife and also threatened to implicate in false case. He has requested the Council to take necessary action in the matter.

No Written Statement

Notices for Statement in Reply was issued to the respondents on 5.7.2016 but received no reply.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi.

The Inquiry Committee has heard the complainant and Sub-Inspector, Shri Ramesh Sharma. It is the allegation of the complainant that for his critical writing he has been harassed by the Police authority.

After hearing the complainant and Mr. Sharma, the Inquiry Committee is of the opinion that the allegation made by the complainant is false and intended to put pressure on the Police. The Inquiry Committee, accordingly recommends for the dismissal of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to **Dismiss** the complaint with aforesaid observation.

Press Council of India

Sl. No. 22

F.No.13/34/16-17-PCI

Complainant

Shri Syed Naeem Ahmed,
Editor-in-Chief,
Samadhan Samachar,
Lucknow(U.P.).

Respondents

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

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

Draft Adjudication

17.11.2016

Case Summary

Shri Syed Naeem Ahmed, Editor-in-Chief, Samadhan Samachar, Lucknow (U.P.) vide his complaint dated 7.5.2016 has alleged that the Information & Public Relations Department, Government of U.P., Lucknow is not granting press accreditation to him and his photographer-Shri Fazal Naeem for the last two years due to which they are facing the problems in collection of news. He has requested the Council to take necessary action in the matter.

It is submitted that the respondent-Information & Public Relations Department vide its letters dated 6.8.2014 informed the complainant and his photographer that the Departmental Press Accreditation Committee in its meeting held on 23.7.2016 unanimously recommended to disapprove their accreditation due to following discrepancies: (i) irregular publication (ii) non-empanelment with the department (iii) Absence of DAVP circulation certificate (iv) Appointment, experience and salary related documents.

No Reply

Notices for Comments were issued to the respondent-Government of U.P. on 5.7.2016 but no reply has been filed by them.

Further letter of the complainant

The complainant, Shri Sayed Naeem Ahmed, Samadhan Samachar, Lucknow vide his letter dated 23.8.2016 addressed to the Chief Secretary, Govt. of Uttar Pradesh and copy endorsed to the Council submitted that the Govt. has been granting pass to him for Vidhan Sabha session regularly but did not issue this time and therefore deprived him from covering relevant news.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi.

It is assertion of the complainant that his application for grant of accreditation to him is pending before the Government since long.

No reply had been filed on behalf of the respondent.

In the facts and circumstances of the case, the Inquiry Committee, deems it expedient that the State Government takes decision on the prayer of the complainant for accreditation, if already not taken, without unnecessary delay preferably within a period of two months, It is made clear that the Inquiry Committee is not expressing any opinion in regard to the claim of the complainant. The Inquiry Committee, recommends, for disposal 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 adopts the Report of the Committee and decides to Dispose of the complaint in aforesaid terms.

Press Council of India

Sl. No. 23

F.No.13/36/16-17-PCI

Complainant

Shri Anurag Kumar Dwivedi,
Editor,
Sri Ramjanki Times,
Fatehpur (U.P.).

Respondents

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

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

The Owner,
Bindki Gas Agency,
Bindki,
Fatehpur (U.P.).

Facts

This complaint dated 3.5.2016 has been filed by Shri Anurag Kumar Dwivedi, Editor, Sri Ramjanki Times, Fatehpur (U.P.) against the Owner of Bindki Gas Agency for allegedly threatening him and registering false case against him due to publication of critical writings and subsequent inaction of the police authorities in this regard. According to the complainant, on the written complaints of the local people, he published the stories prominently regarding corruption prevailing in the Bindki Gas Agency. Annoyed with this, the employees and associates of the respondent-owner of gas agency wreaked havoc at his residence. The complainant informed about the incident to the Superintendent of Police and the Police Circle Officer but no action was taken by them. The complainant alleged that the Owner of gas agency filed a false case under Section 384/507 IPC on 11.2.2016 against him and his Publisher in Bindki Police Station. The complainant submitted that he approached the Hon'ble Court on 10.3.2016 in this regard from where he was granted interim bail. He wrote to the Hon'ble Chief Minister of U.P. and the Director General of Police, U.P. in this regard on 12.3.2016. The complainant alleged that the owner of gas agency through his employee filed another case against him, his publisher and a journalist on 16.3.2016 under Section 323/504/427 in Bindki Police Station. The complainant informed that the respondents are continuously giving threats to him and also planning to implicate him in false cases. He has requested the Council to take necessary action in the matter.

A Report on facts of the case was called for from the Government of U.P. and the Owner of Bindki Gas Agency, Fatehpur on 22.6.2016.

Reply of the Owner, Bindki Gas Agency

Shri Mudit Mishra, Owner, Bindki Gas Agency, Fatehpur vide his reply dated 10.7.2016 while denying the allegations stated that the complaint is false and far from the truth. The respondent alleged that the complainant blackmail the businessmen and senior officers in the garb of the journalism. The respondent further alleged that the complainant blackmailed him and demanded Rs.2,00,000/- and advertisements from him in lieu of not giving him negative publicity through his newspaper and when he refused the complainant threatened to kill him. He filed an FIR against the complainant in the police station-Bindki in this regard. The respondent also alleged that the complainant manhandled his gas delivery man and an FIR in this regard was also filed against the

complainant. He has requested the Council to cancel the license of the complainant's newspaper.

A copy of the written statement was forwarded to the complainant on 27.7.2016.

No reply has been filed by the Government of U.P.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi.

Despite service of the notice the complainant has not chosen to appear. The Inquiry Committee has perused the complaint and the connected papers and finds no substance in the grievance of the complainant. The Inquiry Committee accordingly recommends for dismissal of the complaint.

Held

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

Press Council of India

Sl. No. 24

F.No.13/8/16-17-PCI.

Complainant

Shri Basant Kumar,
Publisher,
Prakash Bulletin,
Noida (U.P.)

Respondents

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

Draft Adjudication

17.11.2016

Case Summary

This complaint dated 15.3.2016 has been filed by Shri Basant Kumar, Publisher, Prakash Bulletin, Noida against (i) Shiv Kutiya Samiti; and (ii) RNI for allegedly threatening to kill him due to publication of critical writing and non-issuance of registration number respectively. According to the complainant, he published some critical news against the Shiv Kutiya Samiti (Temple) on the basis of some evidence. Annoyed with this, they threatened to kill him and filed a false complaint against him before the D.C.P. (Licencing) and also before the Court of law. He further alleged that the RNI is also not issuing registration number to his newspaper.

No Reply

A copy of the complaint was forwarded to the Registrar of Newspapers for India (RNI), New Delhi on 29.6.2016 for taking necessary action under intimation to the Council but no response was received.

Simultaneously, while intimating the complainant about re-opening of the case against RNI, he was requested to provide relevant supporting documents with regard to his grievance of non-issuance of registration number by the RNI. In response thereto, the complainant vide his letter dated 7.7.2016 informed that the Shiv Kutiya has filed a complaint against his newspaper before the D.C.P. (Licencing) and they have also filed a case in Saket Court against him and reiterated that RNI has not been issuing registration certificate to his newspaper.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 3.10.2016 at New Delhi.

The Inquiry Committee has heard the complainant and the representative of the Registrar of Newspapers of India. It is common ground that title Prakash Bulletin has been verified by the RNI. However, the grievance of the complainant is that the RNI is not giving registration number on the ground that a complaint has been filed by Shiv Kutiya Samiti. It is the assertion of the complainant that as it had published news against the said Samiti, it has made complaint against the newspaper. The representative of the RNI states that the complaint has been sent to the DCP(Licencing) as back on 27.5.2015 but till date no response has been received.

After hearing the complainant and the representative of the RNI and taking into consideration the facts and circumstances of the case, the Inquiry Committee deems it expedient that the DCP (Licensing) sends its report to the Registrar of Newspapers within six weeks from today and the Registrar of Newspapers in turn takes decision in the matter within four weeks of the receipt of said Report. The Inquiry Committee, accordingly, recommends for disposal of the complaint with the aforesaid observations. The Inquiry Committee further directs that a copy of the order be sent to the DCP (Licensing).

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 decides to **Dispose of** the complaint with aforesaid observations.

PRESS COUNCIL OF INDIA

Sl. No. 25

F.No.13/188/15-16-PCI

Complainant

Shri Raghunath Singh,
Dy. General Manager,
Rajasthan Patrika,
Jaipur.

Respondent

The Chief Secretary,
Government of Rajasthan,
Jaipur (Rajasthan)

The Director,
Information & Public Relations
Department,
Government of Rajasthan,
Jaipur.

Draft Adjudication

17.11.2016

Case Summary

This complaint dated 13.1.2016 has been filed by Shri Raghunath Singh, Dy. General Manager, Rajasthan Patrika, Jaipur against Government of Rajasthan regarding non-release of advertisements. The complainant has submitted that the Government of Rajasthan had been regularly releasing the advertisements to their newspaper as per the Advertisement Policy since 1.1.2014 to 13.12.2016. From 14.12.2015, the Government suddenly stopped releasing the Government Advertisements to their newspaper. According to the complainant, they always publish true and impartial news and have never been biased and favoured any party, person etc. The reason of said stoppage of government advertisement is not known to them. However, it appears that the same is because of such impartial and factual news published by them about the performance/activities of the State Government. The complainant has further submitted that other independent bodies of the Government such as Nagar Nigam, JDA, Rajasthan Housing Board and RIICO etc. have also stopped releasing the advertisement to the newspaper. The complainant has submitted that he wrote letters dated 19.12.2015, 28.12.2015 and 7.1.2016 to the Director of Public Relations, Government of Rajasthan, Jaipur requesting him to personally look into the matter and pass appropriate direction to release the government advertisement to the newspaper. Similar letters were also written to the independent bodies of the Government but no response has been received.

The complainant has alleged that the action of the government is not only a restriction on their constitutional right to freedom of speech and expression but also depriving the readers' right to know. The complainant has further alleged that the action of the Government is apparently to cause financial loss and more importantly readership loss in order to suppress their newspaper from publishing true and fair news. The complainant also mentioned that in the year 2012, Jaipur Nagar Nigam had also stopped releasing the advertisements and the Hon'ble Press Council vide order dated 18.2.2013 directed the Jaipur Nagar Nigam to release all due advertisement to the newspaper including the backlog. He has requested the Council to look into the matter and pass appropriate directions to the Government of Rajasthan to release the Government Advertisements to their newspaper as per the Policy.

A Notice for Statement in Reply was issued to the Government of Rajasthan, Jaipur on 22.1.2016.

Comments of the Director, DIPR, Jaipur

In response to the Council's Notice for Statement in Reply the Director, Information & Public Relations Department, Government of Rajasthan Jaipur vide comments dated 12.5.2016 stated that the contents of the aforesaid complaint are concocted, incorrect and baseless. The respondent stated that they have not violated any law or rule in releasing government advertisements. She has further stated that the rules, regulations and other related provisions pertaining to the release of advertisements are governed by the Rajasthan Advertisement Rules, 2001, Rajasthan Transparency in Public Procurement Rule, 2013 Display Advertisement Policy, 2001 and the Advertisement Policy, 2001. She has stated that there is no discrimination of any manner whatsoever by the State Government or any department. *The respondent has mentioned that Section 18 of the Rajasthan Advertisement Rules, 2001 itself very clearly and specifically states that the advertisements released to any approved newspaper does not give that newspaper or any publication any right or authority for seeking any further advertisements and the complainant does not have any right whatsoever to seek advertisements as a right on a pretext that the company is suffering some alleged monetary loss.* She has requested the Council to dismiss the complaint.

A copy of the comments received from the Government of Rajasthan was handed over to the representative of the complainant on 24.5.2016.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. S/Shri Rudreshwar Singh and Gautam Singh, Advocates appeared for the complainant. Shri Ankit Raj, Counsel represented the State of Rajasthan.

Shri R. Singh appears on behalf of the complainant and states that for the same relief, the complainant has filed a Writ Petition Civil No.308 of 2016 before the Hon'ble Supreme Court of India.

In that view of the matter, the Inquiry Committee is not inclined to proceed in the matter any further. It, accordingly, recommends for disposal of the complaint.

Held

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

Press Council of India

Sl. No. 26

File No.13/27/16-17-PCI.

Complainant

Shri Anurag Mishra,
Bureau Chief,
Sunami Lehar,
Shahjahanpur (U.P.)

Respondent

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

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

The District Collector,
Shahjahanpur (U.P.).

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

Shri Vijendra Singh Yadav,
Leader, Samajwadi Party,
Jalalabad,
Shahjahanpur (U.P.).

Shri Rammurti Singh Verma,
State Minister,
Government of U.P.,
Shahjahanpur (U.P.).

Adjudication

17.11.2016

Case Summery

This complaint dated 23.4.2016 has been filed by Shri Anurag Mishra, Bureau Chief, Sunami Lehar, Shahjahanpur (U.P.) against Shri Vijendra Singh Yadav, Leader, Samajwadi Party alleging publication of critical news item in "Sunami Lehar" under the caption "सपा नेता ने किसानो के मुंह से छीन लिया दो वक्त का निवाला" in its issue dated 6.4.2016. Annoyed with the impugned news the respondent-Shri Vijendra Singh Yadav threatened him to kill and also lodged a false case No.307/2016 of extortion in Jalalabad Police Station on 16.4.2016. The complainant informed that Shri Vijendra Singh Yadav is close to Shri Rammurti Singh Verma, State Minister of U.P. The complainant further informed that upon receiving information regarding the registration of case before the Council, Shri Vijendra Singh Yadav registered another false case against him through Shri Kulvir Singh of Village Belakhera. The complainant alleged that no investigation has been conducted by the concerned District Collector in both the cases. The complainant further alleged that due to the continuous harassment meted out to him by the respondent-Shri Vijendra Singh Yadav and the police authorities, he is unable to perform his journalistic duty properly.

The complainant vide his letter dated 5.7.2016 informed that the District Collector had conducted an enquiry through SDM on the basis of the said critical news item and registered case No.331/2016 under Section 420/406 IPC in Jalalabad Police Station

against the son of Shri Vijendra Singh Yadav through Secretary, Mandi, Jalalabad. The complainant has further informed that in order to pressurise him, Shri Vijendra Singh Yadav and Shri Rammurty Verma also registered another false case No.514/2016 under Section 419/ 420/467/468/471 through one Shri Kulvir Singh.

Vide another letter dated 27.7.2016 he has informed that the police is trying to arrest him in the Case No.307/2016 and also trying to file chargesheet before the Hon'ble Court under the pressure of Shri Vijendra Singh Yadav. The complainant has further informed that some unknown miscreants attacked him on 16.7.2016. While apprehending danger to his life, the complainant has sought justice and security.

Notices for Statement were issued to the respondents on 24.6.2016

Written Statement of Shri Rammurty Singh Verma

Shri Rammurty Singh Verma, State Minister, Backward Classe and Welfare Department, Govt. of U.P. vide his undated written statement received in the Secretariat of the Council on 10.8.2016, while denying the allegations levelled against him by the complainant, has submitted that it is a personal dispute between the complainant and Shri Vijendra Singh Yadav and he has no role in it and he has also no information about the cases filed against the complainant. According to the respondent, the complainant met him for undue favour and on refusal, he filed false complaint against him. The respondent has stated that he has no personal relations with Shri Vijendra Yadav. The respondent has further stated that the notice issued to him is liable to be dismissed on the facts and circumstances explained above.

Written Statement of Shri Vijendra Singh Yadav

Shri Vijendra Singh Yadav vide his written statement dated 7.8.2016, while denying the allegations levelled in the complaint, has alleged that the complainant is neither the bureau chief of the Sunami Lehar nor the journalist. He further alleged that the complainant's work is to blackmail people in the garb of journalism. The respondent further alleged that the complainant had published a false news against him with a view to tarnish his image while he has no connection with the potato farmers. The respondent stated that case No.307/2016 filed by him against the complainant is based on facts. The respondent further stated that he is a sincere worker of Samajwadi Party but he has no personal relation with Shri Rammurty Singh Verma as alleged by the complainant in his complaint. While denying the allegation of threat, the respondent has requested the Council to dismiss the notice issued to him.

Written Statement of Superintendent of Police, Shahjahanpur

The Superintendent of Police, Shahjahanpur vide his written statement dated 20.8.2016 has informed that the matter was investigated by the Circle Officer, Jalalabad, Shahjahanpur, who in his Investigation Report dated 12.8.2016 submitted that Shri Vijendra Singh Yadav (a member of Zilla Panchayat and President of Bhumi Vikas Bank) registered case No.307/2016 against the complainant for posting baseless and defamatory remarks in his facebook account and also for demanding Rs.50,000/- and the matter is being investigated by the Inspector Incharge, Jalalabad PS. It has been further stated that one Shri Kulvir Singh also filed case No.319/16 dated 23.4.2016 against the complainant and others regarding threat and extortion and that matter is being investigated by the Sub-Inspector, Jalalabad PS. The respondent also submitted that Shri Kulvir Singh also filed another case No.514/16 under Section 419/420/467/468/471 IPC against the complainant and the matter is also being investigated by the Sub-Inspector,

Jalalabad PS. The respondent informed that the Circle Officer, Jalalabad was directed to resolve the matter at the earliest.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 4.10.2016 at New Delhi. Shri Anurag Mishra, the complainant appeared in person. Shri Wakar Ahmed, Sub-Inspector appeared for the respondent. The complainant claims to be the Bureau Chief of the weekly newspaper, Sunami Lehar, and his allegation is that for his critical writings, false cases have been lodged against him by the leader of a political party. In the written statement filed by the said leader, it has been alleged that he(the complainant) tried to blackmail him , and in this regard, he had lodged a case with the police which is pending investigation. It has also been stated that another criminal case was lodged against the complainant on 23.4.2016.

Shri Waqar Ahmed, Sub-Inspector of Police, Jalalabad Police Station, is present. He states that the aforesaid two criminal cases are pending against the complainant. After hearing the complainant and Shri Waqar Ahmad and taking into consideration the facts and circumstances of the case, the Inquiry Committee is of the opinion that the investigation of the cases lodged against the complainant be concluded within a period of six weeks from the date of hearing. The Inquiry Committee recommends for disposal of the complaint with the aforesaid direction.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons, findings and adopts the report of the Committee and decides to Dispose of the complaint with aforesaid direction.

Press Council of India

Sl. No. 27

F.No.13/19/16-17-PCI.

Complainant

Shri Jitendra Singh @ Ramu Gathi,
Correspondent,
Rashtriya Press, Hindi daily,
Lakhimpur Khiri (U.P.).

Respondents

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

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

The District Collector,
Lakhimpur Khiri (U.P.)

The Superintendent of Police,
Lakhimpur Khiri (U.P.)

Shri Shivanand Patel,
Sub-Inspector/Chowki Incharge,
Rajapur Police Chowki,
Lakhimpur Khiri (U.P.).

Draft Adjudication

17.11.2016

Case Summary

This complaint dated 21.4.2016 has been filed by Shri Jitendra Singh @ Ramu Gathi, Correspondent, Rashtriya Press, Hindi daily, Lakhimpur Khiri (U.P.) against the police authorities for allegedly threatening to implicate him in false case due to publication of critical writings. According to the complainant, he published some news regarding failure of the Sadar police in maintaining law and order. Annoyed with this, Sadar Chowki Incharge-Shri Shivanand Patel threatened to implicate him in false case. The complainant stated that the police arrested an accused Shri Ramakant Maurya in a robbery case and during enquiry he told the name of his associate as Ramu Maurya of Village Parsal but the Chowki Incharge tried to encircle him with an intention to send him to jail but he managed to escape. The complainant alleged that the action of the Chowki Incharge is a reprisal measure due to publication of critical writings, which is also an attack on freedom of press. The complainant submitted that he sent a complaint to the Superintendent of Police, Lakhimpur Khiri on 23.4.2016 but received no reply. He has requested the Council for his protection and necessary action against the Chowki Incharge.

No Written Statement

Notices for Statement in Reply was issued to the respondents on 5.7.2016 but no reply was received.

Report of the Inquiry Committee

The complainant appeared in person. Mr. Adesh Kumar Tyagi and Shri Sivanand Patel, SI are present. It is the allegation of the complainant that for his critical writing against the Police he has been harassed by them. The Inquiry Committee has perused the complaint and the connected papers and have heard the parties. It seems that the complainant is an accused in three cases of robbery and extortion lodged by different persons at different time. The Inquiry Committee is of the opinion that the grievance made by the complainant is absolutely unfounded and in fact to put pressure on the Police, he has chosen to file the complaint. The Inquiry Committee, recommends, for 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 decides to Dismiss the complaint.

Press Council of India

Sl. No. 28

F.NO. 13/5/16-17-PCI

Complainant	Respondent
The President, ShramjiviPatrakar Union Bahraich Branch. Bahraich, UP.	1. The Chief Secretary Govt. of Uttar Pradesh Lucknow, U.P. 2. The DGP Govt. of Uttar Pradesh Lucknow, U.P. 3. The Police Chief Bahraich U.P. 4. Secretary Home (Police) Department Govt. of Uttar Pradesh Lucknow, U.P. 5. DM Bahraich U.P.

Adjudication
Dated 17.11.2016

Case Summary

This complaint dated 14.03.2016 has been filed by the President of the Shramjivi Patrakar Union, Bahraich, UP. primarily against the Returning Officer /District Magistrate, Bahraich, UP, Mr. Abhay, for illegally restricting and not allowing the authorised Journalists to cover the counting of Vidhan Parishad Sadashya Nirvachan held on 6th March, 2016. It has been stated in the complaint that the DM and the officer present at the polling booth Shri Atal Dullu, completely ignored the authorization letter issued by the Election Commissioner to the journalists and accused the R.O./DM for trying to hide some illegal activities inside the polling booth and hence, did not allow the journalists to cover the counting session of and when journalists protested, they were abused by the police.

Therefore on behalf of the aggrieved journalists the President of the Shramjivi Patrakar Union, Bahraich requested the Council to take appropriate action against the respondent so that in future no journalists get assaulted while discharging their duties.

No reply from the respondent

A Notice for Statement in Reply dated 23.05.2016 was issued to the respondents. The Police Chief, Bahraich, U.P, in his reply dated 22.07.2016 informed that during the vote counting session, the Preshak at the Polling Booth, did not allow the journalists to enter and denied any instance of journalists assault.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. No one appeared from the either side.

The Inquiry Committee has perused the complaint as also the reply sent by the Additional Superintendent of Police, Bahraich. The Inquiry Committee is of the opinion

that the complaint of the Shramjivi Patrakar Union and the reply of the Superintendent of Police, Bahraich be forwarded to the Election Commission of India for appropriate action. The Election Commission of India shall inform the Press Council, the action taken in the matter. The Inquiry Committee directs for disposal of the complaint with the aforesaid observation.

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 decides to Dispose of the complaint with aforesaid observation.

Press Council of India

Sl.No. 29

File No.13/4/16-17-PCI

Suo-motu cognizance with regard to restriction on media in National Institute of Technology (NIT), Srinagar

Adjudication **17.11.2016**

Taking note of restriction on media by the National Institute of Technology (NIT), Srinagar (J&K), Council took suo-motu cognizance of the matter.

Accordingly, the Director, National Institute of Technology (NIT), Srinagar was asked to furnish the reason, circumstances and necessity of issuing such orders vide Council's letter dated 6.4.2016.

Reply of the NIT, Srinagar

The Registrar, National Institute of Technology (NIT), Srinagar vide his reply dated 19.4.2016 has submitted that the NIT is an autonomous institution under the control of Ministry of Human Resources Development, New Delhi. According to him, a serious law and order problem erupted in the Institute and its repercussions and ramifications were felt throughout the country as most of the students belong to the states other than J&K. Immediately, after the incident a team of officers was sent by the M/o HRD to monitor the situation in the campus and to hear and redress the grievances of agitating students. The State Govt. which is responsible to maintain the law and order in the state also immediately rushed police teams for maintenance of law and order in the campus and the main gate of the institute was managed by the J&K police. He has further stated that the entire incident was however covered by the media and number of channels started panel discussion on it and reporters were reporting the development to their respective newsrooms. With regard to allegation of restriction on media, he has submitted that the Institute did not issue any order barring the entry of media and no written requests was received by the Institute for entry into the institute. He has further submitted that the main gate of the Institute was managed by the J&K Police during this trouble. NIT authorities had no control over the ingress and egress of any person to the institute. According to him, the Institute has utmost regards and respect for freedom of press as enshrined under the relevant provisions of Constitution of India and other laws governing the subject. They respect and appreciate the role, responsibility and positive contribution of the press in the society and will never take any action or infringe or violate the freedom of the press. He has requested the Council to withdraw the suo-motu cognizance and also drop the further proceeding in the matter.

Orders of Inquiry Committee dated 9.6.2016

The matter came up for hearing on 9.6.2016. Taking note of the reply of the Regional, NIT, it ordered to issue notice to Chief Secretary, DGP, J&K to file their response in the matter. No reply was filed by them.

Report of the Inquiry Committee

Following an adjournment dated 9.6.2016, the matter came up for hearing before the Inquiry Committee on 5.10.2016 at New Delhi. Mr. Fayaz Ahmad Mir, Registrar, NIT, Srinagar is present. He states that now, the media is allowed to enter into the premises

for the purpose of collection of news. Taking into account the aforesaid statement of Shri Mir, the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, drops the proceeding.

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 with aforesaid observation and directions.