

**Press Council of India**

**Adjudications rendered by the Council in its Meeting held on 21.09.2017 at New Delhi.**

**Complaints by the Press**  
**Section-13**

**Inquiry Committee meeting held on 19-20 June, 2017 at New Delhi**

- 1 Complaint of Shri Surya Prakash Sharma, Manager, Molad Group of Companies (Kalam Se Kalam Tak), Delhi against the RNI. **13/248/16-17-PCI**
2. Complaint of Shri Omdev Dixt, Journalist, Dainik Aaj, Hardoi, UP against the Police Authorities and anti social elements. **13/157/16-17-PCI**
- 3-19 Complaint of Shri Raghunath Singh, Printer/Publisher, Rajasthan Patrika, Jaipur against DAVP **13/84/16-17 AND** Shri Debashish Chakraborty, General Manager-Marketing Rajasthan Patrika Group, Rajasthan **AGAINST** Ministry of Health and Family Welfare **13/93/16-17**, Department of Income Tax **13/92/16-17**, Ministry of Tourism **13/116/16-17**, Pension Fund Regulatory and Development Authority **13/95/16-17**, Ministry of Food Processing Industries **13/115/16-17**, Ministry of Agriculture & Farmers Welfare **13/96/16-17**, Bureau of Energy Efficiency **13/97/16-17**, Ministry of Consumer Affairs **13/114/16-17**, Ministry of Urban Development **13/118/16-17**, Custom & Central Excise **13/94/16-17**, UIDAI **13/98/16-17**, Ministry of Labour & Employment **13/112/16-17**, Border Security Force **13/110/16-17**, Ministry of Social Justice & Empowerment **13/117/16-17**, Ministry of Finance **13/113/16-17 and** Indian Navy **13/109/16-17**
- 20 Suo-motu cognizance w.r.t. assault on photo journalist-Shri Srikant Singh by the Police. **13/1/17-18-PCI**
21. Complaint of Shri Prabhat Chandra Sharma, Journalist/Media Incharge, Journalist Union Of Bihar, Patna against District Officer, Banka and Police Authorities. **13/160/16-17-PCI**
22. Complaint of Shri Mehendi Hasan, Editor, Umariya Khabar, Umariya, MP against District Administration and Police Authorities. **13/19/14-15-PCI**
- 23 Complaint of Shri Bhagwati Prasad @ Babloo Chakravarty, Editor, Mansookh Times, Eta, UP against the Police Authorities. **13/165/16-17-PCI.**

**INQUIRY COMMITTEE-I SCHEDULED TO BE HELD ON 12 JULY, 2017 AT NEW DELHI**

- 24 Complaint of Ms. Sumaiya Yousuf, Defence & Security Correspondent, Rising Kashmir against the Police Authorities. **(13/103/16-17)**
- 25 Complaint of Shri. Md. Nadimul Haque, M.P (Rajya Sabha) on behalf of Shri M.W. Haque, Chief Editor of Urdu daily Newspaper Akhbar-e-Mashriq against the Police Authorities. **(13/172/15-16).**
- 26 Suo-motu cognizance with regard to attack on Shri Santosh Kumar, Bureau Chief, Dainik Bhaskar by the police in Bokaro, Jharkhand. **(13/56/16-17).**

- 27 Complaint of Sh. Yogesh Saxena, Distt. Representative, Danik Parivahan Khoj, Baduan, U.P against Sh. Mainish Gupta, Gram Pradhan, Vill. Kura Shahapur, Baduan. (13/4/17-18).
- 28 Complaint of Omprakash Baghel, Chief Editor, Duniya Ek Nazar Mai, Aligarh against Shri Yogender Kumar, Secretary, Gram Panchyat Barkatpur, Vikast Khand Dhanipur. (13/259/16-17).
- 29 Suo-motu cognizance with regards to threats received by the media organisations, editors and working Journalist in Manipur and is specifically be Mr. Yumnam Rupchandra Singh. (13/175/15-16).
- 30 Complaint of Shri Suresh Verma, Publisher/Chief Editor, Kranti Kathan, Indore, M.P. against the RNI, Delhi. (13/193/16-17).
- 31 Complaint of Shri Ashish Awasthi, Editor, Media Break, Kanpur Nagar, UP against Cable T.V.Mafia and Police Authorities. (13/253/-16-17).

**THE MEETING OF THE INQUIRY COMMITTEE-II SCHEDULED TO BE HELD ON 16 AUGUST, 2017 AT AHMEDABAD, GUJARAT**

- 32 Complaint of Shri Pankaj Panchal, Editor, Ujjain Aaj Tak, Masik Patrika,Ujjain (M.P) against the Shri Gopal Das Chinchani. (13/23/17-18).
33. Complaint of Shri Ansari Shahid Ahahmad, Journalist, Central Observer Mumbai (Maharashtra) against the Editor, Shri Sayyed Monuddin Ashraf, Mumbai, Police Authorities. (13/210/16-17).
34. Suo-motu cognizance with regard to filing a criminal defamation case against Shri Govind Ingle, Journalist, Dainik Lokmat (Marathi). (13/28/17-18).
- 35 Suo-motu cognizance w.r.t. murder of Shri Kishore Dave, Journalist in Junagadh Gujarat. (13/104/16-17).
- 36 Complaint of Shri Ashroba Kedare, Editor, Weekly Kripavant, Parbhani, Maharashtra, against Nagar Parishad Manwat, District Parbhani. (13/237/16-17).
- 37 Complaint of Shri. Munna Ahmed, Chief Editor, Alfaz Today, Ajmer (Rajasthan) against the Dargah Committee, Dargah Khwaja Sahab, Ajmer. (13/12/17-18).
- 38 Suo-motu cognizance with regard to murder of Shri Kamlesh Jain, Reporter of Nai Dunia in Mandsaur (M.P) and Shri Shyam Sharma, Journalists in Indore (M.P). (13/30/17-18).

## **Press Council of India**

Item No. 1

F. No. 13/248/16-17-PCI

Shri Surya Prakash Sharma,  
Managing Director,  
Molad Group of Companies,  
Delhi.

The Registrar for Newspapers  
of India (RNI),  
New Delhi.

### **Adjudication** **Dated 21.9.2017**

This complaint dated 16.3.2017 has been filed by Shri Surya Prakash Sharma, Managing Director, Molad Group of Companies, Delhi against RNI, New Delhi. The complainant is aggrieved with the RNI. And has submitted that he had applied for registration number but received no reply from the RNI for starting publication viz 'Kalam se Kalam Tak' with RNI 10 months ago.

The complainant vide his letter dated 7.4.2017 enclosed a copy of the application dated 20.7.2016, submitted by him to the RNI for registration of his newspaper namely "Kalam Se Kalam Tak". He has stated that he has complied with all the required formalities even after that when he checked the website of RNI, he found that the RNI has de-blocked his newspaper.

A letter dated 27.3.2017 followed by reminder dated 18.4.2017 was issued to RNI to submit a report on the facts of the matter.

### **Reply of the Deputy Press Registrar, RNI**

Shri Rajeev Kumar Bhardwaj, Deputy Press Registrar, Registrar for Newspaper of India (RNI) in his reply dated 1.5.2017 informed that title 'Kalam Se Kalam Tak' was granted to Molad Pictures & Creations Pvt. Ltd. on 9.7.2014 for a period of two years. Requisite documents from the complainant for renewal of his newspaper, there were received in the department on 20.7.2016 but by that time the title was already de-blocked by RNI on 8.7.2016. Hence, the complainant was asked by the RNI vide its letter dated 3.11.2016 to file a fresh for verification of the title.

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

The matter came up for hearing before the Inquiry Committee on 20.6.2017 at New Delhi. There is no appearance on behalf of the complainant. Shri Vijay Anand and Shri Jagat Singh, appeared on behalf of the respondent

It has been submitted that now the title 'Kalam se Kalam Tak' has been verified by the respondent, Registrar for Newspaper of India (RNI) in favour of the complainant on 24.05.2017. The complainant has got the relief and therefore it seems, not present before the Inquiry Committee.

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 **Dispose of** the complaint.

**Press Council of India**

SI No. 2

File No.13/157/16-17-PCI.

Sh. Omdev Dixit,  
Journalist,  
Dainik Aaj.  
Hardoi (U.P.).

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

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

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

The Sr. Superintendent of Police,  
Hardoi (U.P.).

Sh. Rajesh Kumar Singh,  
Inspector Incharge,  
Police Station-Shahabad, Hardoi  
(U.P.).

Sh. Ashok Yadav,  
ChowkiIncharge,  
ChowkiSardarganj, Hardo (U.P.).

Sh. Deepu @ PradeepPandey,  
Hardoi (U.P.).

Ms. Puja Shukla,  
Staff Nurse, Primary Health Centre,  
Hardoi (U.P.).

Ms.Arti Mishra,  
Hardoi (U.P.).

Smt. Punam Mishra,  
Assistant Teacher,  
Primary School, Mishripur,  
Shahjahanpur (U.P.)

**Adjudication**  
**Dated 21.9.2017**

This complaint dated 13.10.2016 was filed by Shri Omdev Dixit, Journalist, Dainik Aaj, Hardoi (U.P.) against the anti-social elements for allegedly attacking and filing false case due to publication of critical writings and inaction of the police. According to the complainant, he published a news item titled “बेलगाम पुलिस ने

बदमाशों को ककया नजर अदांज” in Dainik Aaj (Kanpur edition) on 22.8.2016 and on the same day at night, he escaped a deadly attack on him. The complainant alleged that the police refused file complaint in this regard. The complainant further submitted that on 3.9.2016 he published news item titled “लुटेरों की गगरफ्तारी न होने से खीरा

व्यवलसयों में आक्रोश” and again the same day in evening Sh. Deepu @ Pradeep Pandey tried to trample him down by speedy car and again no action was taken by the police. The complainant also submitted that on 6.10.2016 he published another news item on facts titled “कोतवाल के गुगों ने काटी गदर” against Sh. Deepu @ Pradeep Pandey.

Annoyed with this and with a view to pressurise him, the respondents started harassing him by filing false case No.0377/16 under Section 354/384/506 IPC through one Ms. Puja Shukla, Staff Nurse, Primary Health Centre, Todarpur, Hardoi. The complainant alleged that the respondents are blackmailing and harassing him. The complainant informed that no action was taken by the State and district authorities in this regard. Apprehending danger to his life, the complainant has requested the Council to take necessary action in the matter.

Notices for Statement in Reply were issued to all the respondents on 6.12.2016.

**Written Statement of Ms. Arti Mishra**

The respondent-Ms. Arti Mishra, Hardoi vide her written statement dated 11.1.2017, denying the allegations, informed that the complainant is their family friend and he used to visit occasionally her home to meet her parents and she called him uncle. While denying all the allegations levelled by the complainant, she stated that she never tried to harm the complainant.

**Further Communication from Complainant**

The complainant vide his further letter dated 10.1.2017 has informed the Council that after transfer of Respondent No. 5 & 6 namely; Shri Rajesh Kumar Singh, Inspector Incharge, PS-Shahabad and Shri Ashok Yadav, Chowki In-charge, Sardarganj, Shahabad, the local Circle Officer-Shri Arvind Kumar Verma is helping the respondents and also threatening him.

Accordingly, Notice for Statement of Reply was issued to Shri Arvind Kumar Verma, Circle Officer, Shahabad, Hardoi.

**Response from Sub-Inspector, Janpad, Hardoi**

Shri Ashok Kumar, Sub-Inspector, Janpad, Hardoi vide his letter dated 10.4.2017 informed that the investigation in the matter is pending as the eye-witness to the incident was not available.

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

Following an adjournment dated 10.4.2017, the matter came up for final hearing before the Inquiry Committee on 20.6.2017 at New Delhi. Shri Omdev Dixit, the complainant appeared in person. Shri Arvind Kumar Verma, Dy. S.P., C.O., Shahabad and Shri Bhagwansuran Pandey, Sub-Inspector, Shahabad appeared for the respondent.

The Inquiry Committee has heard the complainant and perused the complaint, the written statement and other connected papers. Mr. Verma states that in the light of the Order of the Inquiry Committee dated 10.4.2017, the matter was investigated and the victim had denied to have given any application withdrawing the allegation. He further states that after investigation, the police had submitted charge-sheet against the complainant on 13.5.2017 u/S 354 & 506 IPC. The complainant states that the allegation made against him is false and concocted. The Inquiry Committee is afraid that it cannot go into truthiness or otherwise of the allegations in the present proceeding. The complainant shall have the liberty to prove his innocence, during the trial.

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

## **Press Council of India**

Sl. No. 3-19

| <b>Complainant</b>                                                                                                                                                                                            | <b>Respondents</b>                                                              | <b>F. No</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------|
| Shri Raghunath Singh<br>Printer /Publisher, Rajasthan<br>Patrika,<br>Jaipur, Rajasthan.<br><br>and<br><br>Shri Debashish Chakraborty,<br>General Manager-Marketing,<br>Rajasthan Patrika Group,<br>Rajasthan. | (a) Ministry of Health and<br>Family Welfare                                    | 13/93/16-17  |
|                                                                                                                                                                                                               | (b) Deptt. of Income Tax                                                        | 13/92/16-17  |
|                                                                                                                                                                                                               | (c) Ministry of Tourism                                                         | 13/116/16-17 |
|                                                                                                                                                                                                               | (d) Pension Fund Regulatory<br>and Development Authority                        | 13/95/16-17  |
|                                                                                                                                                                                                               | (e) Ministry of Food Processing<br>Industries                                   | 13/115/16-17 |
|                                                                                                                                                                                                               | (f) Ministry of Agriculture &<br>Farmers Welfare                                | 13/96/16-17  |
|                                                                                                                                                                                                               | (g) Bureau of Energy Efficiency                                                 | 13/97/16-17  |
|                                                                                                                                                                                                               | (h) Ministry of Consumer Affairs                                                | 13/114/16-17 |
|                                                                                                                                                                                                               | (i) Ministry of Urban<br>Development                                            | 13/118/16-17 |
|                                                                                                                                                                                                               | (j) Custom & Central Excise                                                     | 13/94/16-17  |
|                                                                                                                                                                                                               | (k) UIDAI                                                                       | 13/98/16-17  |
|                                                                                                                                                                                                               | (l) Ministry of Labour &<br>Employment                                          | 13/112/16-17 |
|                                                                                                                                                                                                               | (m) Border Security Force                                                       | 13/110/16-17 |
|                                                                                                                                                                                                               | (n) Ministry of Social Justice &<br>Empowerment                                 | 13/117/16-17 |
|                                                                                                                                                                                                               | (o) Ministry of Finance                                                         | 13/113/16-17 |
|                                                                                                                                                                                                               | (p) Indian Navy                                                                 | 13/109/16-17 |
|                                                                                                                                                                                                               | The Director,<br>Directorate of<br>Advertisements & Visual<br>Publicity (DAVP). | 13/84/16-17  |

### **Adjudication** **Dated 21.9.2017**

A complaint dated 20.07.2016 has been filed by Shri Raghunath Singh, Printer/Publisher, Rajasthan Patrika, Jaipur, Rajasthan against the Directorate of Advertisements & Visual Publicity (DAVP) alleging hostile stoppage to release of advertisement by DAVP to Rajasthan Patrika. The complainant submitted that as per the IRS & Audit Bureau of Circulation Rajasthan Patrika has the largest readership and circulation in the State of Rajasthan, Madhya Pradesh and Chhattisgarh. From decades, DAVP had been releasing Government advertisements for accedes to Partrika as per the Circulation and Advertisement policy, but from 22<sup>nd</sup> June 2016, DAVP has suddenly stopped/reduced releasing Government advertisements to Rajasthan Patrika without stating any reason for such opprobrious attitude. The complainant newspaper has alleged that DAVP is apparently doing so as to cause

financial loss to the Rajasthan Patrika and to suppress the paper. The complainant further informed the Council that even after submitting several representations to the DAVP, requesting to look into the matter no response has been received from the DAVP. Hence the complainant suspects a discriminatory behaviour of DAVP towards the Rajasthan Patrika. The complainant, therefore, has pleaded the Council to take appropriate action that will support the freedom of press.

Shri Debashish Chakraborty, General Manager-Marketing, Rajasthan Patrika also filed 16 complaints dated 08.08.2016 against various departments of Government of India for non-issuance of advertisements to his newspaper.

A Notice for Statement in Reply dated 3.08.2016 was sent to the Director General, DAVP notices to other respondents were issued in October 2016.

### **Reply from DAVP**

The DAVP in its response dated 18.08.2016 stated that DAVP issues the advertisements to the newspapers keeping in view the objectives of the clients ministries/departments, the contents, target audience for the advertisement and availability of funds in consultation with the client Ministries/Departments and the media list when prepared or suggested by the clients Ministry are suitably modified by DAVP to conform to the Government Policy without compromising the objectives of the proposed advertisements. DAVP further stated that DAVP has been releasing relatively more value of advertisements to Rajasthan Patrika than to its counterpart Dainik Bhaskar during the given period. So the allegation of Rajasthan Patrika that DAVP intends to curtail freedom of the Press by curtailing the release of advertisements is untrue and has shared some data related to releasing of advertisement that shows DAVP uses Rajasthan Patrika regularly for Government advertisements as per the provisions mentioned in the Print Media Advertisement Policy 2016 and will suitably continue it in future.

### **Reply filed by Deptt. of Income Tax**

In response to the Council's Notice for Statement in Reply the respondent ADIT(Publicity), O/o ADG(PRPP&OL), New Delhi vide letter dated 24.10.2016 sent his reply to the complainant and copy endorsed to PCI. The respondent submitted that the Directorate does not prepare any media plans as it is not the mandate of their Directorate and it has no role to play except request DAVP for media plan. All media plans pertaining to all releases by their Directorate are prepared by DAVP and all the representations received in their office from the complainant (Rajasthan Patrika) were forwarded to DAVP for consideration from time to time.

### **Reply filed by Customs & Central Excise**

In response to the Council's Notice for Statement in Reply the respondent, Assistant Commissioner, Director General of Tax Payers Services, Central Board of Excise & Customs, New Delhi vide letter dated 24.10.2016 informed that they have called for a Report from DAVP and on receipt of the same, a reply will be submitted to the Council.

Shri Arvind Malhotra, Assistant Commissioner vide his letter dated 8.12.2016 has stated that the Rajasthan Patrika group of newspapers were always included in the media lists of July, August & September, 2016. The final Media Plan/Selection of newspapers were decided and released by DAVP, which is the nodal agency for releasing Government advertisements.

### **Reply filed by UIADI**

In response to the Council's Notice for Statement in Reply the respondent Deputy Director(Media), UIDAI, vide letter dated 2.11.2016 submitted that the complainant's newspaper has not been ignored as alleged and fourteen advertisements were submitted to the DAVP for release to Rajasthan Patrika during the campaigns in the period/dates mentioned by the complainant and UIDAI specifically mentioning DAVP to not to change the approved media plan of UIDAI, however the matter may be taken up with DAVP for not releasing the advertisement as proposed by UIDAI. He has requested the Council to dismiss the complaint.

### **Reply filed by Indian Navy**

In response to the Council's Notice for Statement in Reply Commander/Jt. Director (Publicity), Indian Navy, New Delhi vide his written Statement dated 19.10.2016 has submitted that according to the Govt. Policy on advertisement, all Ministries are required to undertake publicity activities through DAVP and accordingly list of newspaper decided based on cope of publicity required, is forwarded to DAVP. The final release order to the newspaper agencies is issued by DAVP in consonance with the extant Govt. Policies in regard to distribution of advertisements to newspapers. The respondent further submitted that the complaint and correspondence has been forwarded to DAVP for early reply to PCI as DAVP would be the appropriate agency to reply to such complaints by newspapers.

### **Reply filed by DAVP**

The DAVP vide his further reply dated 7.11.2016 informed the Council that the DAVP issues the advertisements to the newspapers as per the Print Media Advertisement Policy keeping in view the objectives of the client ministers/departments, the contents, target audience for the advertisement and availability of funds in consultation with the client Ministries/departments. The policy classifies the newspapers into Big, Medium and Small as per the circulation and stipulates to incorporate all the three categories of the newspapers in the overall media strategy. He has further informed that they are receiving complaints/representations from newspapers across the country including complainant for higher quantum of advertisements. He has annexed comparative statements of business given by DAVP to the complainant and others during the period 1.4.2016 to 1.11.2016. He has further informed that advertisements are being issued regularly to Rajasthan Patrika as per the provisions in the Print Media Advertisement Policy-2016.

### **Reply filed by Border Security Force**

In response to Notice for Statement in Reply the Commandant(G)/PRO, FHQ BSF, New Delhi vide letter dated 31.10.2016 filed his written statement and submitted that the requisition for advertisement for direct recruitment of group 'c' posts (combatant) in BSF Engineering set up 2016-17 has been placed with DAVP for publishing in Employment News/Rozgar Samachar and all leading news papers vide their L/No.A-4/Pers(Rectt)/Group-'c'/BSF/2016/11280-310zs dated 22.6.2016. He has also submitted that the requisition for advertisement of recruitment of meritorious sports person as Constable (GD) (Male & Female) against sports quota in BSF has been placed with DAVP for publishing in leading News Papers, employment news & Rozgar Samachar including vernaculars of all States and UTs vide their L/No.22/36/Advt-CT(GD)/Sports Quota/2016/RECTT/BSF/15258-15523 dated 12.8.2016. He has informed that except these advertisements, no other requisition has been placed with DAVP for the period and he also informed that BSF requests

DAVP to put advertisement in Employment News and leading dailies-without naming any.

### **Reply filed by Ministry of Labour & Employment**

In response to the Council's Notice for Statement in Reply dated 13.10.2016 the respondent vide letter dated 31.10.2016 forwarded his written statement to the complainant and copy endorsed to the PCI for information. According to the respondent they issues advertisement as per the New Advertisement Policy of the Government.

### **Reply filed by Ministry of Tourism**

In response to the Council's Notice for Statement in Reply the respondent vide written statement dated 15.11.2016 informed the Council that while considering release of newspaper advertisement, they approach DAVP for a media plan and while doing so the Ministry only specifies the approximate budget and the size of advertisement. They never influence the DAVP on the selection of title of newspapers. He has also submitted that there was no bias on their part in ignoring the complainant in its newspaper advertisement.

### **Reply from Ministry of Social Justice & Empowerment**

In response to the Council's Notice for Statement in Reply the respondent vide letter dated 9.11.2016 filed his written statement in the matter and submitted that their department routing its advertisements through the DAVP and adhering to the policy/guidelines issued by DAVP time to time.

The Ministry vide another letter dated 24.11.2016 submitted that the Department of Empowerment of Persons with Disabilities(Divyanjan) is concerned, the Department issues release order to DVP after determining overall budget of the media plan and size of the advertisement. The Department only indicates the State/area to be included in the media plan for publishing the advertisements and languages to be included in the plan for advertisement keeping in mind territorial catchment of the beneficiaries of the schemes of the department and however, selection of newspapers in the media plan and inclusion or non-inclusion of newspapers is the sole prerogative of DAVP. The Ministry has directed the DAVP to furnish appropriate reply/information to the complainant.

### **Reply filed by Pension Fund Regulatory and Development Authority**

In response to the Council's Notice for Statement in Reply the respondent vide letter dated 4.11.2016 submitted that they only places request of release of ads without specification referring to inclusion and/or exclusion of any newspaper as the mandate of inclusion and/or exclusion of an newspaper lies with DAVP. He has further submitted that in light of its overreaching responsibility of spreading awareness about retirement planning, old age income security and NPS, PFRDA has been taking out awareness ads and has at numerous occasions requested DAVP for extending coverage to prominent dailies in vernacular language, so that the intended message is transmitted to the target audience. He has also submitted that they issued advertisements various editions of Rajasthan Patrika keeping in view of wider outreach of the message.

### **Reply from Ministry of Food Processing Industries**

Shri Ankit Mishra, Deputy Director, Ministry of Food Processing Industries vide his letter dated 19.10.2016 addressed to the complainant has stated that the Ministry is not giving any advertisements directly to any publishers of dailies. All

advertisements are forwarded to DAVP with a request of their publication in leading newspapers of the Country as per media policy of DAVP.

### **Reply from Ministry of Consumer Affairs**

Shri BaniBrata Roy, Deputy Secretary, Ministry of Consumer Affairs vide his letter dated 8.12.2016 has stated that this Department releases all its newspapers advertisements through DAVP which selects the newspaper as per their policy and as such this Department would not be in a position to clarify as to why the complainant's newspaper was left out during the period.

### **Reply from Ministry of Finance**

Shri H.K. Srivastava, Director (Budget) vide his letter dated 13.12.2016 this Department has no role for allocation of advertisement for publication in the specific/selected newspaper as this responsibility falls under the jurisdiction of DAVP on whom the Order was placed with the instructions to publish the advertisements in pioneer newspapers/dailies without mentioning the names of newspapers/dailies.

### **Reply from Ministry of Health & Family Welfare**

Dr. Rajesh Kumar Rana, Account Director (Media), NACO, Ministry of Health & Family Welfare vide his e-mail dated 15.12.2016 has stated that NACO always requests DAVP only to prepare media plan for any newspaper advertisement and follow the same plan to release. They don't prepare any plan from their side and always adhere to the policies of the DAVP.

### **Counter Comments**

In response, the complainant newspaper vide its letter dated 25.08.2016 has submitted that the claims made by DAVP in its written statement that DAVP has been releasing relatively more value of advertisements to Rajasthan Patrika than to its counterpart Dainik Bhaskar is completely mischievous, immaterial and baseless. According to the complainant this is not the appropriate answer to their question/grievance which is against the acute reduction in release of advertisements to their newspaper. Further, Rajasthan Patrika stated that the discriminatory attitude of DAVP is still continues with Rajasthan Patrika. According to the complainant distributing and publication of government advertisements informs the public about the government policies and actions, so sudden reduction in release of advertisements to Rajasthan Patrika withholds the readers of Rajasthan Patrika from the vast gamut of information that the DAVP is sharing with other newspapers and hence the readers of Rajasthan Patrika are being deprived of some important information. So this is not regarding the value of advertisement that DAVP releases to Rajasthan Patrika, but related to the right to be informed of the Public and hence requested the Council to take appropriate measure that will remedy the issue.

### **Comments from DAVP**

Shri R.C. Joshi, Director, DAVP vide his response dated 9.12.2016 has stated that the DAVP is receiving complaints/representations from newspaper across the

Country including Rajasthan Patrika asking for higher quantum of advertisements. He further stated that from the comparative statements of business given by the DAVP to Rajasthan Patrika and Bhaskar during the period 1/4/2016 to 9/12/2016, it may be seen that out of 12 editions, 9 editions of Rajasthan Patrika has been given more value of advertisements (in terms of rupees) as compared to Dainik Bhaskar during the said period. He also stated that the Patrika published from Indore has also been given more value of advertisements as compared to Bhaskar, Indore. Therefore, it cannot be said as curtailment of freedom of press at all. He has submitted that the DAVP issues advertisements to the newspapers keeping in view the objectives of client ministries/departments, the contents, target audience for the advertisement and availability of funds in consultation with the client Ministries/Department. The media list, if any, prepared/suggested by the client Ministry would be suitably modified by the DAVP to conform to the Government Policy without compromising the objectives of the proposed advertisements. He has further submitted that Rajasthan Patrika is also being used regularly for government advertisements as per the provisions mentioned in the Print Media Advertisement Policy-2016 and will be used suitably in future also.

### **Further Response from Rajasthan Patrika**

The complainant vide his further response dated 18.1.2017 stated that he had filed a Writ Petition (Civil) No. 308/2016 titled as Rajasthan Patrika Pvt. Ltd. Vs. State of Rajasthan. He further stated that on the hearing dated 2.9.2016, Sh. P.S. Narsimhan, ASG verbally submitted before the Supreme Court that the State shall be releasing advertisement to the complainant as per their entitlement and for this purpose sought four weeks time. He informed that after the said hearing, the DAVP also started releasing the advertisement to the complainant. The above conduct clearly established the arbitrary & illegal conduct of DAVP to suppress the freedom of press in order to get the favourable news published.

Shri Raghunath Singh, Printer & Publisher, Rajasthan Patrika vide his further response dated 12.4.2017 has stated that they never made any complaint and representation to DAVP for higher quantum of advertisements. They made complaints when their advertisements was suddenly stopped/reduced arbitrarily from 22<sup>nd</sup> June, 2016 without assigning reason in spite of being no. 1 newspaper in the state of Rajasthan in terms of circulation & readership. Therefore, the allegation levelled against Rajasthan Patrika for asking the higher quantum of advertisements has no substance, hence liable to be rejected. In connection with the comparative statements of business given by DAVP, he has stated that their complaint is specifically pertaining to the arbitrary distribution of advertisement for the period commencing from 22<sup>nd</sup> June, 2016 up to mid of September, 2016. They have never made any complaint in respect to the rest of the period and therefore, the submission of the figures of advertisements released in terms of rupees for the financial year 2016-17 are completely irrelevant and be taken an attempt to divert attention of Hon'ble Council from period when discrimination was made. He has requested the Council to order the DAVP to release the backlog advertisements as a token of penalty.

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

Following two adjournments dated 16.12.2016 and 10.4.2017, the matter came up for hearing before the Inquiry Committee on 19.6.2017 at New Delhi. Mr. Gopal Jain, Sr. Advocate, Mr. Ajay Choudhary, Advocate, Mr. Sandeep Taneja, Advocate

and Mr. Mahesh Kumar Vijay Vergiya, Advocate appeared on behalf of the complainant. Despite service of notice, the DAVP had not chosen to appear. On the first day of hearing the Inquiry Committee noted this unnecessary waste its time. However, way of last indulgence, the Inquiry Committee adjourned the matter with the direction to take it up again on the next day i.e. 20.6.2017. The Committee directed the Secretariat to serve a copy of this Order of the Inquiry Committee to the Director General of DAVP Department dasti.

The matter again came up for hearing before the Inquiry Committee on 20.6.2017 at New Delhi. Mr. Gopal Jain, Sr. Advocate, Mr. Ajay Choudhary, Advocate, Mr. Prashanti Pasupuleti, Advocate. Mr. Sandeep Taneja, Advocate and Mr. Mahesh Kumar Vijay Vergiya, Advocate appeared on behalf of the complainant. Mr. V. Ravi Rama Krishna, Addl. Director General and Mr. B.P. Meena, Media Executive, DAVP appeared for the respondent.

Mr. Jain, Sr. Counsel appearing for the newspaper has drawn the attention of the Inquiry Committee to an earlier report of the Council in which it has been observed that the governments many a times chose newspaper for giving advertisement in such a manner that those newspaper which are critical to the government suffer. He has further brought to the notice of the Inquiry Committee the an interim Order of the Council in the case of the complainant itself wherein direction was given by the Council to give certain percentage of advertisement to the complainant. The Inquiry Committee has also heard Mr. Mr. V. Ravi Rama Krishna, Addl. Director General, DAVP. He submits that advertisement to the newspaper may not be construed as financial help and it need not to be tested on the principle of distributive justice.

The Inquiry Committee has bestowed its consideration to the rival claims and is of the opinion that the government and its departments are as free as any other body or person to choose a newspaper for the publication of advertisement. However, the government and its departments, while doing so, cannot act malafide with a view to suppress the freedom of the press. The respondent has placed on record a chart of advertisement released by the DAVP in tabular form and from its perusal it is evident that quantum of advertisement is less in few months. In the opinion of the Inquiry Committee, it cannot act as a super-body to examine minutely and meticulously about the quantum of advertisements given to particular newspaper vis-à-vis others. This would only be desirable in a case in which the Inquiry comes to the conclusion that advertisement has been denied or quantum reduced for an oblique purpose.

In the facts and circumstances of the present case, the Inquiry Committee is of the opinion that the complainant has not been able to prove that the reduction in quantum of advertisement was intended to muzzle the press.

The Inquiry Committee, accordingly, recommends to the Council for dismissal of both the complaints.

### **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 **Dismiss** both the complaints with the above observations.

## Press Council of India

SI. NO. 20

F.NO. 13/1/17-18-PCI

### **Complainant**

Sou-motu cognizance

### **Respondent**

The Commissioner of Police,  
Delhi Police Headquarter,  
I.P. Estate, ITO,  
New Delhi-110002.

The Joint Commissioner , Traffice,  
Delhi Police Headquarter,  
New Delhi-110002

### **Adjudication**

**Dated 21.9.2017**

The Press Council of India has come across through various news articles reporting that a traffic police constable and his two colleagues on 4.4.2017 thrashed photo journalist Shri Srikant Singh of Punjab Kesari for clicking photos on a road near India Gate. It has been further reported that the photographer and other journalists later approached senior traffic police officers demanding action against the cops. The policemen were then called to the headquarters and they admitted to having assaulted the photo journalist after an argument. The Joint Commissioner, Traffic, ordered for an inquiry into the incident and initiated departmental action against the errant cops. It has also been reported that the photo journalist was taken to a hospital and the Delhi Police Spokesperson/DCP (Crime) said the matter was sorted out with the intervention of senior officers.

### **No Reply**

Taking suo-motu cognizance of the matter, a Notice for Reply Statement was issued to the Commissioner of Delhi Police and the Joint Commissioner (Traffic), Delhi Police, New Delhi on 5.4.2017 but no reply was filed.

### **Reply from Shri Srikant Singh**

The affected-Photo-journalist of Punjab Kesari, Shri Srikant Singh, New Delhi vide his letter dated 10.4.2017 while expressing gratitude for taking suo-motu cognizance of the matter has stated that he wants to explain the incident before the Press Council personally. He has requested the Council for impartial inquiry of the matter.

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

The matter came for hearing before Inquiry Committee held on 20.06.2017 at New Delhi.

The respondent, Shri Santosh Kumar Rawat, Inspector, Tilak Marg, Traffic Circle appears on behalf of the respondent and has produced before the Inquiry Committee the report dated 7.04.2017 informing that steps taken in pursuance. It

may be kept on record. The concerned journalists have also been issued Notice by the Council but have not chosen to appear. It seems that the matter has been settled by the concerned journalist and the Police authorities. 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 matter.

**Held**

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

## Press Council of India

Sl. No. 21

File No.13/160/16-17-PCI.

### Complainant

Shri Prabhat Chandra Sharma,  
Journalist/Secretary,  
Journalists Union of Bihar,  
Patna (Bihar)

### Respondents

The Chief Secretary,  
Government of Bihar  
Patna (Bihar)

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

The Director General of Police,  
Bihar Police,  
Patna (Bihar)

The District Collector,  
Patna (Bihar)

The Superintendent of Police,  
Patna (Bihar)

The District Magistrate,  
District Banka,  
Bihar.

### Adjudication 21.09.2017

Shri Prabhash Chandra Sharma, Journalist/Secretary, Journalists Union of Bihar, Patna drew the attention of the Council on 19.10.2016 towards attack on journalists by the police in Patna during coverage of news by furnishing the news clipping appearing in Hindustan issue dated 19.10.2016 under the caption "कब्जा हटाने के वरुोध पर लाठियां बरसाई – मीडिया कलमियों को पीटा, कै मरे भी छीने".

The complainant also informed that the District Magistrate, Banka (Bihar) also circulated a letter dictatorially banning the journalist from entering the institutions for most sensitive job of covering the functioning of the institutions. He has requested the Council to take necessary action in the matter.

Report on facts of the cases was called for from the Government of Bihar vide Council's letter dated 31.10.2016.

### **Report from AIG(Q), Patna, Bihar**

The Assistant Inspector General of Police (Q) vide his letter dated 7.4.2017 has informed that an investigation in the matter has been conducted by the Deputy Superintendent of Police, Patna. The investigation revealed that pursuant to the order of District Magistrate dated 4.10.2016, the police initiated the process of removing the anti-social elements from Beli Road where around 250 unknown persons jammed the road and pelted the stones at the police. The police also used force to remove the blockade from Beli Raod. The police also registered a case no. 513/16 on 18.10.2016 u/s 147/149/341/342/323/337/332/188/504/427/336/120B/285 IPC against five accused and other unknown persons. It has been further stated that the police had not used any kind of force against the media person or any journalist and no complaint regarding hurt of any media person came before the police during the incident.

### **Further Letter from complainant**

The complaint dated 07.04.2017, through this mail has submitted that he was contacted by the AIG on 29-03-2017, seeking copy of complaint sent to PCI. Since the PCI happened to serve Notices to the aforesaid officials twice for the appearance in court, it raises many questions involving tact of influence, threat and warning.

### **Letter from Senior Superintendent of Police, Patna**

A report dated 17.06.2017 addressed to I.G.P Provision, Patna has been received from Senior Superintendent of Police, Patna, wherein, it has been submitted that Shri Dinesh Kumar, Photo journalist, Dainik Jagran, and Shri Sunil Kumar, Photo journalist, Hindustan Press, were contacted with regard to the investigation being carried out by Superintendent of Police, Patna. Shri Dinesh Kumar in his statement has submitted that he, on behalf of press, went to Beli road to take a photo of encroached area. In the meantime, the encroachers started pelting stones on Police personal and set things on fire. In the turmoil, a few constables (newly recruited) snatched his camera. After intervention of senior Police officials, his camera was returned. Now, he has no grievance with Police. Shri Sunil Kumar, Photo journalist, in his statement has submitted that a clash ensued between the encroachers and the Police, resulted in Stampede and he was thrashed by the constables (newly recruited) but after intervention of Police officials. He was let off.

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

Following adjournments dated 06.02.2017 and 10.04.2017, the matter came up for final hearing before the Inquiry Committee on 20.06.2017 at New Delhi. None has appeared for the complainant. Shri Raman Kumar Choudhary, Dy. Superintendent of Police (H.Q) represents the respondent and has placed before the Inquiry Committee the report of the Senior Superintendent of Police dated

26.06.2017. The Inquiry Committee has taken into consideration the contents of the report and is not inclined to proceed in the matter any further. The Inquiry Committee recommends for disposal of the complaint.

**Held**

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

**Press Council of India**

SI. NO. 22

File No.13/19/14-15-PCI.

**Complainant**

Shri Mehendi Hasan,  
Editor,  
Umariakhabar,  
Umariya (M.P.).

**Respondents**

The Chief Secretary,  
Government of M.P.,  
Bhopal (M.P.)

The Secretary,  
Home (Police) Department,  
Government of M.P.,  
Bhopal (M.P.).

The District Collector,  
Umariya (M.P.)

Shri Ravendra Dwivedi,  
City Inspector,  
Police Station Kotwali,  
Umariya (M.P.).

**Adjudication**  
**Dated 21.9.2017**

This complaint dated 8.5.2014 has been filed by Shri Mehendi Hasan, Editor, Umariya Khabar, Umariya (M.P.) against the District Administration and police authorities for filing allegedly false case due to publication of critical news. According to the complainant, he published a news item in his newspaper issue dated 27.4.2014 under the caption “सौंदर्यकरण करने के प्रशासन के इरादे बंद-भारी पलु लसबल देखे नतमस्तक हुये

बजरंगी” with regard to demolition of an encroached premises/portion of a temple by the district administration. The complainant alleged that annoyed with this publication, the respondents maliciously filed a one-sided false case against him in Police Station Umariya under Section 505(2) and the SHO, Police-Station Umariya issued a Notice seeking his reply for publishing provocative news. According to the complainant, a reply in this regard was sent by him to the SHO on 4.5.2015 stating that the news was published in routine course and no communal tension was created and due to publication of this news. It requested that to inquire the matter and cancel the case filed against him. The complainant further submitted that he also drew the attention of the Superintendent of Police, Umariya in this regard requesting him to dismiss the case filed against him under Section 505(2) but no action was taken by them. The complainant submitted that a contradiction was also published in his newspaper in this regard. He has requested the Council to take necessary action in the matter.

### **Written Statements**

The SHO, Police Station Umaria vide his written statement dated 25.7.2014 submitted that a district level Committee was constituted under the direction of the Hon'ble Supreme Court of India for abolition of encroached portions at religious places and as per decision of the Committee the encroached portion on the front of a Devi Temple was removed humbly on 26.4.2014 but the complainant published baseless news in this regard without any facts on 27.4.2014 and thereby tried to ignite religious sentiments. The respondent further stated that the publication of news hurt the sentiments of a community and on the complaint of Sub-Divisional Officer, Bandhavgarh, Umaria, a case was registered against the complainant. According to the respondent, during investigation it was found that no particular community objected to publication of impugned news and beside this, complainant also published contradiction in this regard. Since no ill-will attitude was appeared in the case No.505 (2), therefore, a dismissal diary No.3/14 dated 24.7.2014 was prepared and sent to the Deputy Director, Shahdol for further guidance in the matter.

The District Collector, Umaria vide his written statement dated 30.8.2014 while reiterating and forwarding a copy of the SHO, Umaria's above said reply informed that the action is being taken for closure of the case filed against the complainant with the opinion of Deputy Director, Shahdol. He stated that the matter is required to be dismissed.

### **Complainant Further Response**

The complainant vide his letter dated 14.3.2016 has stated that he filed this complaint against the police authorities as a case was registered against him u/s 505(2) being aggrieved with the critical publication but the said case has now closed. Therefore, the complainant has requested to close his complaint.

### **Reply from the Collector, District Umari, M.P.**

The Collector, District Magistrate, Umari, M.P. vide his letter dated 14.3.2016 reiterated the contents of the written statement filed by SHO, Police Station Umaria earlier and informed that the said case was presented for dismissal before the Court of CJM, Umaria but the same is not dismissed yet.

### **Response received from Assistant Inspector General of Police, Bhopal**

The Assistant Inspector General of Police, Bhopal vide his letter dated 5.9.2016 has reiterated the contents of the written statement which were already filed by SHO, PS Umaria.

### **Directions to DM & S.P. Umaria**

During one of the hearings in the Case the Inquiry Committee in its meeting held 15.03.2016 pointed out that the complainant assaults himself to be a member of the Press Council of India (PCI), therefore directed the DM & S.P. Umaria to take

necessary action in the matter for falsely claiming to be member of Press Council of India (PCI).

**Response from Asst. IGP, Bhopal and SP, Umaria**

The Assistant Inspector General of Police (Complaints), Police Headquarter, Bhopal vide his letter 25.10.2016 and the Superintendent of Police, Umaria vide his letter dated 29.9.2016 has submitted a Report in the matter with regard to the claim of the complainant in his letter dated 4.5.2016 that he is a member of the PCI. In their report, it has been stated that the complainant pay fees to the Press Council of India as mandated under the PCI Act and also registered with RNI. It has been further requested that in the letter dated 4.5.2016 of Shri Mehndi Hasan, due to some clerical mistake, Press Council of India was typed instead of RNI.

It is submitted that a letter dated 16.9.2016 of Shri Mehndi Hasan addressed to the Chairman of Press Council of India is also enclosed with the report. In the said letter, Shri Hasan deeply regretted for claiming himself to be a member of the PCI. He further give clarification that since his paper pays levy to the PCI, he assumed that his paper is a member of the Council. He also stated that he pays levy fee to the PCI which he wrongly considered as membership fee. This was nothing but the clerical mistake, he added. He has requested the Council to consider this as common human error for which he placed his sincere apology. He further assumed unintentional error in future.

**Further letter from the Collector, District Umari, M.P.**

The Collector, Umaria, M.P. vide his further letter dated 8.4.2017 reiterated the same content as in his letter dated 14.3.2016 that a case no, 505(2) was presented for dismissal before the Court of CJM, Umaria but the consent of dismissal of the same is yet not received.

**Report of Inquiry Committee**

Following adjournments dated 16.03.2016, 06.09.2016, 14.12.2016, 6.2.2017 and 10.04.2017, the matter came up for final hearing before the Inquiry Committee on 19.06.2017 at New Delhi. The complainant, Shri Mehendi Hasan appeared in person. No one has appeared on behalf of respondent.

The complainant has apologised for claiming to be member of Press Council of India. He has also assured the Inquiry Committee that he will never falsely lay such claim in future. In view of aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further.

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

**Held**

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

## **Press Council of India**

Sl. No. 23

File No.13/165/16-17-PCI.

### **Complainant**

Shri Bhagawati Prasad  
@Babloo Chakravarty,  
Editor, Manshuk Times,  
470, Rewari Moholla, Kotwali Nagar  
District. Eta, UP.

### **Respondents**

Chief Secretary  
Govt. of U.P.  
Lucknow, U.P.

The Secretary,  
Home (Police) Department.  
Govt. of Uttar Pradesh,  
Lucknow, U.P.

The Senior Superintendent of  
Police,  
Eta, Uttar Pradesh

The Station House Officer,  
Police Station Kotwali Nagar,  
Eta, U.P.

### **Adjudication** **Dated 21.09.2017**

This complaint dated 19.10.2016 has been filed by Shri. Bhagwati Prasad, Editor, Manshuk Times, Eta, UP against the Police Authorities. He alleged that he was detained, assaulted, robbed and forced to intake poisonous country liquor by the police while he was collecting news. The complainant had referred to an incident that took place on 16.10.2016. While he was on his way to home, he found a lady drenched in blood was standing in front of the Kotwali Station. For humane reason the complainant in order to help her tried to inquire as to what has happened to her. Meanwhile a drunk constable came out of the Kotwali Station and started verbally abusing the complainant and on objecting he was detained and subjected to inhuman behaviour, the complainant alleges that he was even forced to intake poisonous liquor. The complainant was finally rescued by his journalist friends and was admitted in hospital. However, the complainant submitted that he was being continuously followed by the accused. Hence he had filed this complaint and requested the Council to take necessary actions as he fears danger to his life. The complainant had filed his complaint with the Chief of Police but still the perpetrators did not stop harassing him.

Complainant vide his letter dated 10.11.2016 had informed that accused policemen have been transferred to the police line and investigation in the matter is being conducted by the Deputy Superintendent of Police. The Statements of both the parties have also been recorded.

### **No Reply Filed by the Respondent**

A Notice seeking for written statement dated 6.12.2016 was issued to the concerned authorities however none of them filed their statements.

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

Following an adjournment dated 10.04.2017, the matter came up for final hearing before the Inquiry Committee on **20.06.2017** at New Delhi. Shri Bhagawati Prasad, Editor appeared for the complainant. Shri R.K. Singh, Inspector, Kotwali, Etah, appeared for the respondent.

The Inquiry Committee has perused the complaint, the reply and all other connected papers and has also heard the complainant and Shri R.K. Singh, Inspector, Kotwali. From the report of the Additional Superintendent of Police, it is evident that two constables have been found guilty in the incident. It has been stated by Mr. Singh that departmental proceeding against those constables have been initiated and final Order in the said proceeding shall be passed within two weeks. The Inquiry Committee takes note of the assurance and directs for disposal of the complaint.

### **Held**

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and **Dispose of** the complaint in wake of assurance given by the respondent Police Authorities.

**Press Council of India**

Sl.No. 24

F.No.13/103/16-17-PCI.

**Complainant**

Ms. Sumaiya Yousuf,  
Defence & Security Correspondent,  
Rising Kashmir,  
Kashmir.

**Respondent**

The Chief Secretary,  
Govt. of Jammu & Kashmir,  
Srinagar.

The Secretary,  
Home (Police) Department,  
Govt. of Jammu & Kashmir,  
Srinagar.

The Director General of Police,  
Jammu & Kashmir Police,  
Srinagar.

The S.D.P.O.,  
Sadar Police Station,  
Srinagar (J&K)

**ADJUDICATION**

**Dated: 21.9.2017**

Ms. Sumaiya Yousuf in the complaint dated 23.08.2016 charged Shri Amod Ashok Nagpuri, S.D.P.O. with harassment and abuse. According to her, on 17.8.2016 when she was shopping, a white Rakshak police vehicle stopped in front of the shop and around 8-10 men in uniform with their commanding officer started beating and abusing the three shopkeepers including her. The complainant further stated that she urged them to stop or at least have mercy on her but they did not stop and instead they started hurling choicest of abuses at her and after this, they ran amok and hit her thrice on her left upper arm. She tried to stop them by showing her identity card and informed them that she is a journalist and was returning home from office but they took her identity card and threw it away without seeing it. According to her, the one who hit her was the commanding IPS officer Sh. Amod Ashok Nagpure. She has alleged that they chased her car and also started smashing it. She sat inside the car and locked up all the doors to protect herself. She further alleged that the IPS officer Shri Nagpure stood near her car and started punching the windowpane where she was sitting. She asked him not to harass her else she would call his higher ups to intervene.

The complainant informed that she called three top police officers including the Director General of Police, Inspector General of Police, Kashmir and Senior Superintendent of Police, Srinagar who assured action against the SDPO and his team but to no avail.

She has informed that a number of journalists are facing hardships while reporting and performing professional duties in Kashmir and she is one of them.

## **Response from Home Department, Govt. of J&K**

Report on the Case on Facts was called for from the Government of Jammu & Kashmir vide Council's letter dated 26.8.2016 and subsequent reminder dated 14.9.2016. In response to that Shri Syed Yasir Farooq, KAS Under Secretary to the Government, Home Department, Jammu & Kashmir vide letter dated 16.2.2017 forwarded a copy of the report dated 18.10.2016 filed by Director General of Police, J&K. It is stated in the report that on 17.8.2016, SDPO Saddar along with other nafri were performing law & order duties in Jawahar Nagar area and during withdrawal some youth assembled on the road as also some vegetable/fruit vendors and local shopkeepers tried to occupy the road stretch keeping their goods for sale. This act of shopkeepers and Hawkers has caused inconvenience to the movement of troops and in order to avoid any untoward incident, they were asked to leave the road stretch free for the movement of troops. He has submitted that one lady challenged the SDPO Saddar and other nafri and tried to invite the public attention on spot so as to provoke them against police and security forces. The name of the lady was later revealed as Sumaiya Yousuf affiliated with daily Rising Kashmir. The report further states that a proper entry was made in the daily diary of Police Station Rjbagh vide DD No.23 dated 17.8.2016 and next the said lady entered in the office of SDPO Saddar without any justification and misbehaved with the officer in presence of the escort as well as office staff, she used un-parliamentary language and smashed/damaged the furniture and other articles in the office of SDPO Saddar. A report of the effect was entered in the daily diary of Police Station Saddar vide DD No.14 dated 18.8.2016 and proceedings U/s 186 Cr.PC have been initiated against the said lady and will be produced before the Hon'ble Court of law soon after the situation returns to normalcy.

A copy of the communication was forwarded to the complainant on 12.4.2017 for information/counter comments.

Vide Council's email dated 14.9.2016, the affected-journalist, Ms. Sumaiya Yousuf was also requested to file Declaration regarding non-pendency of the matter in any court of law but no response was filed.

## **Report of the Inquiry Committee**

Following an adjournment dated 09.01.2017, the matter came up for final hearing before the Inquiry Committee on 12.7.2017 at New Delhi. The complainant was not present whereas Shri Farooq Ahmad, Sr. Prosecuting Officer on behalf of the DGP, J&K and Shri G.M.Kawoosa, Advocate appeared for the respondent side.

The complaint of Ms Sumaiya Yousuf, Defence & Security Correspondent, Rising Kashmir, was forwarded to the Council for action by one of its member. It is the allegation of the complainant that while she was shopping around 8-10 men in uniform beat and abused the shopkeepers and the complainant. It is not the assertion of the complainant that she has gone to the place to perform journalistic duty. The government of J&K has submitted its report in which it has been stated that complainant was provoking the shopkeepers and other people against the Police and the security force and therefore a case has been registered. The complainant was asked to file a declaration about non-pendency of the matter in any Court of Law. She has not filed any declaration nor she is present before the Inquiry Committee today.

The Inquiry Committee is of the opinion that the case in hand does not involve any journalistic duty and therefore the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee drops 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 for the aforesaid reason.

**Press Council of India**

**SI.No. 25**

**F. No. 13/172/15-16-PCI**

**Complainant**

Shri M. W. Haque  
Chief Editor,  
Akbar-E-Mashriq,  
Delhi

**Respondent**

The Chief Secretary,  
Govt. of NCT of Delhi,  
Delhi Secretariat, New Delhi

The Principal Secretary,  
Home (Police) Department,  
Govt. of NCT of Delhi,  
New Delhi

The Commissioner of Police,  
Delhi Police Headquarters,  
New Delhi

The Station House Officer,  
Police Station Shakarpur,  
Delhi

**Adjudication**

**Dated 21.9.2017**

This complaint dated 9.12.2015 has been filed by Shri Md. Nadimul Haque, MP(Rajya Sabha) on behalf of his father Shri M.W. Haque, Chief Editor of Urdu daily newspaper "Akhar-e-Mashriq" Delhi against the Delhi Police authorities alleging for illegal arrest of his father.

The complainant drew the attention towards arbitrary and overreach of power exercised by the SHO and his subordinate officers of Shakarpur Police Station, Delhi against his father Shri M.W. Haque, Chief Editor Akhbar-e-Mashriq, Urdu daily newspaper. He stated that on 3.12.2015 at midnight a team of police visited the residence of his father Shri M.W.Haque, Chief Editor, Akbar-E-Mashriq on the orders of Shri Hari Singh, SHO, Shakarpur PS, Delhi. Thereafter, without disclosing any sufficient reasons, ground much less justification, they had forced his father to accompany them to police station at night. He further informed that on reaching the Police Station, the SHO not only behaved inappropriately and disrespectfully with his father but stated insignificant of protection for calling his father to the police station against news published in Akhbar-e-Mashriq, as supplied by INS India (news agency). He mentioned that the SHO misused and abused his authority by summoning Shri M.W. Haque (his father), who is 81 years old at late midnight. He has stated that his father was not issued any proper written summon much less an official phone call from the SHO stating the reason for the aforesaid summon. Hence putting the life and liberty of Shri M.W.Haque not only in jeopardy but also in grave danger for his own illicit purposes. The complainant alleged that the action of the police authority to summon Shri M.W.Haque, an 81 years old, is a direct attack on

freedom of press as well as on his personal liberty especially since the news as published in the morning and the SHO had the whole day in his hand.

He submitted that he filed a detailed representation before the Minister of Home Affairs, Shri Rajnath Singh on 7.12.2015. He requested the Council to take up the matter so that justice is done in the case to his father.

A report was called for from the Govt. of NCT of Delhi, Commissioner of Police, Delhi and concerned SHO on 28.12.2015 under intimation to the complainant and affected- Chief Editor.

### **Reply of Addl. Deputy Commissioner of Police, Delhi**

In response, the respondent-Addl Deputy Commissioner of Police, East District, Delhi vide his Report dated 19.2.2016 stated that an enquiry into the matter was got conducted through ACP, Preet Vihar, Delhi which revealed that in the night intervening SI Yogesh was on patrolling duty and he received a message from SHO, Shakarpur on his mobile regarding a news about religious issues and that the same was published from Laxmi Nagar. The SHO directed the SI to verify the authenticity of the message and further directed him that if the newspaper was published from the area of PS Shakarpur, then he would ensure the safety and security of the publisher and also verify whether publisher/owner are living at the given address. The respondent further stated that at 12:30 AM, Shri Yogesh, SI reached at H.No.6/267, Lalita park and found that an office of the said newspaper was running there. Shri Tanveer met the police official who was explained the reason of police visit. Shri Tanveer intimated that his father octogenarian the owner of the said newspaper. According to the respondent, the news clip was verified and he was requested to join enquiry so that he may be briefed accordingly. The respondent further informed that Shri Tanveer requested that his father Mr. Haque also wants to join them. They all came to police station at 12:40 AM where SHO, Shakarpur briefed them regarding their safety and gave the mobile numbers of division and beat staff officers. The respondent also informed Shri M.N.Haque, MP (Rajya Sabha) was also briefed by SHO, Shakarpur over mobile. After that Mr. Haque and Mr. Tanveer were safely dropped at their residence at 01:00 P.M. and two constables were also deployed outside their residence and beat staff of night patrolling as also briefed to keep a vigil at their house as well as in the locality in the night. The reason behind this security awareness was that place was a Hindu dominated area and there was an apprehension regarding any protest from both the Hindu and Muslim community. The complainant stated that at the time of briefing there was inappropriate of disrespectful behaviour by the SHO, Shakarpur.

A copy of the Report received from the Addl. Deputy Commissioner of Police, Delhi was forwarded to Shri MD. Nadimul Haque, MP (Rajya Sabha) and his father Shri M.W. Haque, Chief Editor, Akhbar-E-Mashriq affected journalist on 3.3.2016 for filing counter comments but received no response.

### **Report from Sub-Inspector, Police Station, Shakarpur**

Shri Yogesh, Sub-Inspector, PS Shakarpur vide his report dated 3.10.2016 reiterated the contents of the report filed by Addl. Deputy Commissioner of Police, East District, Delhi vide his letter dated 19.2.2016.

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

Following adjournments dated 3.10.2016 and 5.10.2016, the matter came up for final hearing before the Inquiry Committee on 12.7.2017 at New Delhi. Mr. M.W. Haque, Editor, appeared for the complainant. Shri Virender Kumar Sharma, Inspector/ShO, Shakarpur, Delhi, appeared on behalf of Shri Hari Singh, SHO, Sharkarpur and Commissioner of Police, Delhi.

Mr. M.W Haque, Chief Editor of Akbhar-E-Mashriq is present. Inspector, Sh. Virender Kumar, SHO, Shakarpur is also present. The Inquiry Committee has perused the complaint and report of the various Police Officers. The Inquiry Committee is of the opinion, the conduct of the Officers and Policemen in visiting the residence of the complainant editor at the midnight is reprehensible. The plea of the respondent is that the complainant volunteered to go to the Police Station and therefore, cannot make a grievance about that. The Inquiry Committee is of the opinion that the circumstances and the manner of the visit of the Police force at midnight did not leave any discretion to the complainant not to go to the Police Station. The Inquiry Committee have no doubt that the Police Officers and the men from the Police Force acted in a manner which compromised the freedom of the editor. The Commissioner of Police, Delhi, shall hold inquiry and pass the appropriate Orders against the persons who had visited the house of the editor in the midnight, asked him to come to Police Station to meet SHO and such other Officers and men who are responsible for that. The Commissioner of Police shall take decision within Eight weeks from the date of receipt of this Order and inform the Council about the action taken. The Inquiry Committee recommends for disposal of the complaint with the aforesaid directions.

### **Held**

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

## **Press Council of India**

**Sl. No. 26**

**F. No. 13/56/16-17-PCI**

**Suo-motu cognizance with regard to attack on Shri Santosh Kumar, Bureau Chief, Dainik Bhaskar by the police in Bokaro, Jharkhand**

### **Adjudication** **Dated 21.9.2017**

The Council took suo-motu cognizance when it came across news reports regarding attack on Shri Santosh Kumar, Bureau Chief, Dainik Bhaskar by the police inside his office premises as also in the Police Station.

Shri Gyanandu Jaipurkar, President, Bokaro Patrakar Sangh, Bokaro Jharkhand vide email dated 21.6.2016 has also drawn the attention of the Council towards assault on Shri Santosh Kumar Singh by the police personnel.

It has been reported that Shri Santosh Kumar has been beaten up by almost half-dozen police personnel and taken to Police Station. Further, the Bureau Chief complained to the S.P., Bokaro in this regard, who assured taking action in the matter. It has been also reported that the said police personnel, who attacked on the journalist have been suspended. Three days ago the editor of Dainik Bhaskar had lodged an FIR for theft of battery of a generator from its office. The Investigating Officer reached the office of Dainik Bhaskar to make an inquiry and the editor resisted his (ASI) misbehaviour. The ASI returned back the Police Station and came with half a dozen policeman and intimidated the Bureau Chief. The Bureau Chief made a complaint to SP, Bokaro.

The Bokaro Patrakar Sangh (BPS), Bokaro vide its further e-mail dated 30.6.2016 has informed the Council that Bokaro police suspended three police personnel in the matter but at the same time lodged a case under SC Atrocities Act and other sections of IPC against Shri Santosh Singh, Deputy Editor, Dainik Bhaskar. The Bokaro Patrakar Sangh has pointed out that if Superintendent of Police in investigation had found the accused responsible and had suspended them, then why he accepted their FIR and lodged it. The BPS has alleged that the police want to create pressure on scribe to withdraw case and compromise.

### **Report from Superintendent of Police, Bokaro**

The Superintendent of Police, Bokaro vide his letter dated 7.7.2017 has stated that the matter has been investigated and it has been found that both the parties abused each other and had also beaten up each other. It has been further found that the allegation in respect of usage of caste related words by the editor and allegations in respect of snatching chain and money by Mr. Sunilal Marandi are found to be untrue. It has been further stated in the report that three police officer/constable namely Sunilal Marandi, Dinesh Pandey and Avdesh Kumar Jha along with another Police Officer Rajiv Ranjan Ojha are found guilty in the incident. The suspension/departamental proceedings against all the accused has been initiated.

## **Report of the Inquiry Committee**

Following an adjournment dated 4.10.2016, the matter came up for hearing before the Inquiry Committee on 12.7.2017 at New Delhi. Shri Ajay Kumar, Dy. SP City, Bokaro along with Shri Vikash Kr. Hembrom, DPRO appeared for the respondents.

When it came to the notice of the Council that a journalist was attacked in his office premises and as also in the Police Station, the Council took Suo-motu cognizance of the matter. The President of Bokaro Patrakaar Sangh, Shri Gyanadu Jaipuria has also drawn the attention of the Council towards the assault of the journalist. The respondent has submitted the report in which it has been stated that on the basis of the report given by the concerned journalist, criminal case was registered and after investigation, the police officers and constables found responsible have been charge-sheeted. In the report, it has also been stated that on the basis of the information given by the Police Officer, the case was also registered against the journalist and in that also charge-sheet has been submitted. It is stated that the concerned journalist and the charge-sheeted Police Officer had filed application in the Court of the Magistrate for not proceeding with the case. Be that as it may, conduct of the Police Officers in assaulting the journalist and further lodging case making false allegation against the concerned journalist, cannot be approved.

Mr. Ajay, Deputy Superintendent of Police, Bokaro states that a disciplinary inquiry has already been initiated against the concerned police officers for the aforesaid misconduct and final orders in the said proceeding shall be passed within a period of eight weeks.

The Inquiry Committee takes note of the assurance given by the Dy. SP to the Council to dispose of the complaint. In the light of the assurance given.

### **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 **Dispose of** the matter.

**PRESS COUNCIL OF INDIA**

Sl.No. 27

F. No. 13/4/17-18/ PCI

**Complainant**

Shri Yogesh Saxena  
District Representative,  
Dainik Parivahan Khoj,  
Baduan, U.P.

**Respondent**

The Chief Secretary,  
U.P. Govt.

The Secretary,  
Home Department (Police)  
U.P. Govt.

The Superintendent of Police,  
Baduan, U.P.

District Magistrate,  
Baduan, U.P.

Shri Munish Gupta,  
Gram Pardhan,  
Baduan, U.P.

**Adjudication**

**Dated 21.9.2017**

This complaint dated 17.02.2017 has been filed by Shri Yogesh Saxena, District Representative, Dainik Parivahan Khoj, Baduan, U.P. against Shri Munish Gupta, Gram Pardhan, Shahpur, U.P. for his alleged misbehaviour and assaulted on the journalist.

The complainant has submitted that he came across the complaint of the villagers (Khuda, Shahpur, U.P) pertaining to quality of road construction which was being constructed in the aforesaid village. The respondent, Shri Munish Gupta, Gram Pardhan, Shahpur, U.P. assaulted the complainant, when he was on construction site to click photographs of the road. He also broke the camera of the complainant and took out the camera's chip and also threatened him of dire consequences. A complaint in this regard was filed before the District Magistrate, Baduan, and U.P. but no response was received. The complainant has requested the Council to take strict action against the respondent, Shri Munish Gupta.

Notice dated 22.05.2017 for statement in reply was issued to the Government of Uttar Pradesh and concerned respondents but no response has been received so far.

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

The matter came for hearing before Inquiry Committee held on 12.07.2017 at New Delhi. Neither the complainant nor the respondent appeared.

Despite service of the notice, nobody has chosen to appear before the Inquiry Committee. The Committee is not inclined to proceed any further. 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 **Dismiss** the complaint.

## **Press Council of India**

**SI.No. 28**

**F.No. 13/259/16-17-PCI**

### **Complainant**

Shri Omprakash Baghel,  
Chief Editor, Dunia Ek Nazar Mein,  
Aligarh.

### **Respondent**

Shri Yogendra Kumar,  
Secretary,  
Gram Panchayat Barkatpur,  
Vikaskhand Dhanipur.

### **Adjudication**

**Dated 21.9.2017**

This complaint dated 23.3.2017 has been filed by Shri Omprakash Baghel, Chief Editor, Dunia Ek Nazar Mein, Aligarh against Shri Yogendra Kumar, Secretary, Gram Panchayat, Barkatpur, Vikas khand Dhanipur for allegedly threatening him due to the fact that he sought information under RTI Act, 2005. According to the complainant he filed an application under RTI Act, 2005 seeking information from the Area Development Officer about Dhanipur but he did not receive any information and therefore, he filed an Appeal on 26.12.2016 to the District Panchayat Officer, Aligarh and subsequently filed another Appeal on 31.1.2017 to the State Information Commissioner, Uttar Pradesh. When the second Appeal was registered, then Shri Yogendra Kumar threatened him over mobile. In this regard he made a complaint to the Government of Uttar Pradesh on 23.3.2017. He has requested the Council to take action against the respondent.

### **Comments from Shri Yogendra Kumar**

In response to the Council's Notice for Comments 22.5.2017, the respondent Shri Yogendra Kumar, Secretary, Gram Panchayat, Barkatpur vide letter dated 31.5.2017 filed his comments in the matter and submitted that they sent messages to the complainant time and again for collecting the information but he did not come. On being called by the State Information Commission he appeared in person with 261 pages Report but there also the complainant did not appear. He has also submitted that on 20.5.2017 and 22.5.2017 he asked the complainant to collect information but he misbehaved with him. The respondent further submitted that they have never attempted to curtail the freedom of the press.

### **Comments from the complainant**

The complainant vide his letter dated 27.6.2017 has submitted that the information of 261 pages provided by the respondent Shri Yogendra Kumar, Secretary is completely wrong. He has further submitted that after publication of news dated 27.03.2017 the respondent, Shri Yogendra Kumar threatened him of dire consequences if he continues to seek information about him. The complainant has been receiving calls from different numbers asking him not to seek information from Shri Yogendra Kumar. The complainant has requested the Council to take necessary action in the matter.

### **Further Comments from Shri Yogendra Kumar**

The respondent vide his letter dated 12.7.2017 has submitted that the allegations of the complainant of threatening him over mobile phone are baseless as said mobile no. is not registered with him. The respondent has submitted that under Right to Information Act, 2005, only individual citizen has the right to seek information, not any organisation.

### **Comments from Senior Superintendent of Police**

A letter dated 10.7.2017 has been received from Shri Rajesh Kumar Pandey, Sr. Superintendent of Police, Aligarh, informing they have not received any substantial evidence against the respondent, Shri Yogendra Kumar for using threatening and abusing words. He has further submitted that the complainant has no grievance against the action of Police and appreciated the functioning of Police.

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

The matter came for hearing before Inquiry Committee held on 12.07.2017 at New Delhi. The complainant, Shri Omprakash Baghel appeared in person. Shri Yogendra Kumar, Secretary, Gram Panchayat, Shri Ramkumar Gupta, S.O. and Shri Rizwan Husain, BDO, appeared for the respondent.

The Inquiry Committee has heard the complainant and Secretary of the Gram Panchayat, Barkatpur, representative of Sr. Superintendent of Police, Shri Ramkumar Gupta, S.O. and Shri Rizwan Husain, BDO.

It is the allegation of the complainant that when 2<sup>nd</sup> Appeal against the Appellate Authority order was registered before the State Information Commission, he was threatened by the Secretary of the Gram Panchayat, Barkatpur. The Secretary of the Gram Panchayat has denied the allegation. The Superintendent of Police has also submitted the report. The Inquiry Committee has perused it and on its perusal it is evident that he has also not supported the allegation made by the complainant.

The Inquiry Committee is of the opinion that the allegation made by the complainant is false. 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 Dismiss the complaint.

## **Press Council of India**

Sl. No. 29

F.No.13/175/15-16-PCI

### **Suo-motu cognizance with regard to threats faced by the Media organisations, Editors and Working journalists in Manipur**

#### **Adjudication** **Dated 21.9.2017**

The Council initiated suo-motu action and called for a report for Government of Manipur on 25.12.2015, when it came across the incidence of the threats being faced by the media organisations, editors and working journalists in Manipur. Shri Yumnam Rupachandra Singh, the editor-in-chief of Impact TV as also the Secretary of Editors Guild of Manipur reportedly received death threat from a militant organisation and a bomb was found at the gate of his house in the evening of 14<sup>th</sup> December, 2015.

Report stated that the media establishments in the State received a press note announcing floating of a new militant group but since there was no independent confirmation of the claims made in the press note, the print as well as electronic media organisations did not publish/broadcast the news. Annoyed over the refusal of the media to give publicity to their claims, some unknown persons called the news organisations over phone and issued death threats and claimed that they planted a grenade in front of Rupachandra Singh's residence. All Manipur Working Journalists Union(AMWJU), Editors Guild of Manipur and other journalists and civil society organisations condemned the militant threats to the editors and working journalists and demanded for their security and they will not succumb to threats and carry out their mission.

The Council also issued a statement deciding that any diktat to the Editors or working journalists for publication or non-publication of news by the State or non-State players amounted to invasion of the news room and it violated freedom of the press guaranteed under the constitution.

#### **Report of the Government of Manipur**

The Under Secretary, Home Department, Govt. of Manipur vide his letter dated 31.3.2016 forwarded a copy of the Report submitted by the Police Department, Manipur through the Superintendent of Police, Imphal West District, Manipur. The Report revealed that on 14.12.2015 at 7:50 p.m. Sub-Inspector Mohd. Saphi of Singjamei Police Station received an information that a polythene bag suspected to have contained an explosive was found hanging at the CI sheet gate of Shri Yumnam Rupachandra Singh, Chief Editor, Impact TV. It was suspected to have been planted by some unknown valley based extremist organisation to endanger human lives and to cause loss and damage to property. Hence, a suo-motu case was registered at Singjamei Police Station. It has been further stated in the Report that during the course of investigation, they seized one Chinese hand grenade and two piece of white paper written as Ekaikhumnajariba Tamo Rupachandra, Editor's Guild Manipur MEECHANG MEEKHAI NAIBIGANU KANGLEPAK COMMUNIST PARTY-MILITARY JOINT COMMITTEE (KCP-MJC) by observing formalities from the spot. It has been also stated in the Report that on examination, Shri Yumnam Rupachandra Singh stated that on the night of 14.12.2015, one Chinese hand grenade inside one polythene bag was found hanging

at the CI Sheet gate by the suspected cadres of KCP-MJC for non-publication of their party's press release. It was further stated in the Report that the vigorous efforts are being made to nab the culprits. Regular and frequent patrolling by the commandos and teams of Imphal police station has been intensified along with Tiddim Road where most of the Media Houses are accommodated.

### **Response from Govt. of Manipur**

Shri Rehanuddin Choudhary, Joint Secretary (Home), Government of Manipur vide his response dated 1.8.2016 has furnished the details of cases registered and incidents of threat to the journalist fraternity furnished by the Police Department. He has submitted that with reference to the security threat concern of Shri Yamnam Rupachandra Singh, an FIR No. 325(12) 2015 u/s 307/506/34, 4 Expls. Subs. Act & 20 UA (P) Act has been registered at Singjamei Police Station and investigated into. He further submitted that frequent patrolling, frisking and checking by teams of Singjamei Police Station led by Officer-in-Charge of Singjamei PS and Commandos around the residence and adjoining areas of Shri Rupachandra Singh have been carried out since the incident. Investigation is on to identify the perpetrators of the crime. A discreet enquiry by the State Police in this regard, requested that the editors and journalists of all leading local dailies received threats from various UG outfits mostly when they refused to publish their press notes as per the ethics of the press media. He further stated that the concerned SPs are carrying out adequate security measures by way of frequent patrolling around the area where the office of local dailies are located and deployment of security personnel at strategic locations round the clock to prevent any untoward incidents with the help of the concerned Officers-in-charge and commandos. Manipur State Police already has good strength of commandos, who are like Special Squad and actively deployed in counter-insurgency operations in Manipur. The existing commandos would be in a better position to take care of the security concerns of the journalists. He further submitted that the media fraternity may be advised to interact with the Police Department PRO and concerned senior officers to address their security concerns and other security issues in future.

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

Following two adjournments dated 9.6.2016 and 5.10.2016, the matter came up for hearing before the Inquiry Committee on 13.7.2017 at New Delhi.

Shri Naresh Kumar, Advocate appearing on behalf of the State of Manipur states that the investigation in the case is going on and the person responsible has been identified and efforts are being made to arrest him. He also states that the Government of Manipur has issued advisory for safety of media houses and the journalists on the directions of the Council.

Taking note of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further and recommends to the Council to advise the media fraternity to bring its security concern immediately to the law enforcement agencies. The Govt. of Manipur may on its part designate an officer of the rank not less than Dy. Superintendent of Police to receive and act on them under a quick response mechanism Sou-motu action may rest with this.

## **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 **Dismiss** the complaint.

## **Council of India**

Sl. No. 30

File No.13/193/16-17-PCI.

### **Complainant**

Shri Suresh Verma,  
Publisher/Chief Editor,  
Kranti Kathan,  
66, Quila Road (Kumharkhadi),  
Indore-15, M.P

### **Respondents**

The Registrar,  
O/o the Registrar of Newspaper  
for India,  
West Block-8, Wing No.2,  
R.K. Puram, New Delhi-110 066.

### **ADJUDICATION** **DATED 21.09.2017**

This complaint dated 28.11.2016 has been filed by Shri Suresh Verma, Publisher/Chief Editor, Kranti Kathan, Indore, M.P. against the Registrar of Newspapers for India (RNI), New Delhi for mentioning the Registration number of Kranti Kathan wrongly and delaying to rectify the mistake and also in failing to issue him a Declaration with correct registration number. The complainant submitted that RNI has allotted a Registration number 38312/83 to Kranti Kathan in 1983 but in 2014 while filing online index, it was changed to 38313/78 and the registration number of Kranti Kathan was allotted to Dainik Bharti newspaper published from Shahdol. The complainant has made several complaints to the RNI pertaining to the matter and voiced objection against the careless and the indifferent attitude of the RNI. Even after two years of sending a request for corrections in registration number the mistake has not been rectified. The complainant, therefore, has pleaded the Council to necessary action.

### **Reply filed by the Respondent**

A Notice for comments dated 24.01.2017 was issued to the RNI. An undated communication from the RNI was received in the Secretariat on 02.03.2017 which states that according to the RNI Registration record the Registrant number allotted to Kranti Kathan is 3831/78 which is claimed by the complainant to be Kranti Kathan's Registration number is Dainik Bharti's Registration number according to RNI's record. Hence, Kranti Kathan is allotted and issued the registration number 38313/1978 in the Registration certificate dated 14.02.2017 by RNI.

### **Response from Dainik Bharti**

In response to the Council's letter dated 15.06.2017 Dainik Bharti in its reply dated 22.06.2017 stated that RNI issued them number 38312/83 and Kranti Kathan 38313/78. The paper has annexed a copy each of RNI Numbers issued to Kranti Kathan and Dainik Bharti respectively.

The aforesaid communication was forwarded to the complainant through e-mail on 30.06.2017.

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

The matter came up for final hearing before the Inquiry Committee on 13.07.2017 at New Delhi followed by adjournment dated 16.05.2017. The complainant appeared in person whereas Shri Dilip Kumar, Manager, Dainik Bharti and Shri Dara Rao, S.S.A, RNI represented the respondent's side.

The Inquiry Committee has heard the complainant, the representative of the Dainik Bharti as also the representative of the Registrar of Newspapers. The Inquiry Committee notes that the confusion in the registration no. had occurred because of the negligence on the part of the office of the Registrar of Newspaper of India that continued undetected for more than two decades and come to the fore only on digitalisation of records. The Inquiry Committee, accordingly, directs the Registrar of Newspapers to resolve the dispute and report to the Council the decision taken within six weeks.

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

### **Held**

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

**PRESS COUNCIL OF INDIA**

SI. No.31

F.No. 13/253/16-17/PCI

**Complainant**

**Shri Ashish Awasthi,  
Editor,  
Media –Break,  
Kanpur, U.P.**

**Respondent**

**The Chief Secretary  
U.P. Govt.  
Lucknow , (U.P.)**

**The Secretary,  
Home (Police) Department,  
U.P. Govt.,  
Lucknow, (U.P.)**

**District Magistrate,  
Kanpur, U.P.,**

**Senior Superintendent of Police,  
Kanpur, U.P.,**

**Adjudication**

**Dated 21.9.2017**

This complaint dated 15.03.2017 has been filed by Shri Ashish Awasthi, Editor, Media- Break, Kanpur, U.P. against **(i) Cable TV Mafia for allegedly threatening him and Police Authorities for its inaction in the matter.**

The complainant has submitted that he has been regularly publishing news pertaining to scam in Entertainment Revenue Department. Taking cognizance of his news reports, the Entertainment Commissioner (Manoranjan Ayukt) set up a Committee to investigate the matter and ordered to conduct random survey. This led to exposure of many officers of Entertainment Tax Department, who were part of the said scam. In response to the Survey, Central Service Tax also issued Notices to TV operators to submit return (15%) for the last five years. The complainant has submitted that annoyed with aforesaid Notices, Cable TV Mafia, in order to stop publication, started abusing and threatening him through social media app groups including Furkaan. The complainant further submitted that in this regard, he had complained in writing to Kanpur Police many times but received no response. Later, he made an online complaint, on a Govt portal managed by C.M. office. Acting on the complaint, Sr. Superintendent of Police gave direction to Kanpur Police Crime Branch to investigate the matter within 15 days but no action had been taken so far.

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

**Response from Sr. Superintendent of Police**

A Notice dated 30.03.2017 for statement in reply was issued to The Chief Secretary, U.P. Govt., The Secretary, Home (Police) Department, U.P. Govt., District

Magistrate, Kanpur, U.P. and Senior Superintendent of Police, Kanpur, U.P. In response there to, Shri Aakash Kulhari, Sr. Superintendent of Police, Kanpur, U.P. has forwarded that a Report submitted by Shri Gyanendra Kumar Singh, Regional Officer, Govindnagar, Kanpur city, wherein, it has been stated that on a complaint by Shri Awasthi, a case No. 339/17, under section 409/504/506 I.P.C. against Shri Faizkhan and Officers and officials of Entertainment Tax Department, has been registered in Naubasta Thana. The Inquiry is being conducted by Shri Gopal Kanhiya. The matter will be disposed on the basis of merit. No other Police action is required in the matter.

### **Response from DIG/SSP of Police**

A letter dated 10.7.2017 has been received in the Council from Smt. Sonia Singh, DIG/SSP, Kanpur Nagar, wherein, while giving the reference to a complaint of Shri Awasthi, She has informed that a case No. 339/17, under section 409/504/506 I.P.C. has been registered against Shri Faizkhan and Officers of Entertainment Tax Department. The matter is presently under investigation will be disposed of on merit.

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

The matter came for hearing before Inquiry Committee held on 13.07.2017 at New Delhi, the complainant. Shri Ashish Awasthi appeared in person. Smt. Shweta Yadav, C.O., Sesamau, appeared for the respondent.

The complainant appears in person. The respondent is represented by Ms. Shweta Yadav, C.O., Sesamau. It is the grievance of the complainant that he was threatened for exposing the people involved in the business of Cable T.V., advt. employees of department concerned, in evading tax. He had given information to the Police about the said threat but no case was registered. The S.S.P., Kanpur city has submitted a report in which it had been stated that on the basis of the information given by the complainant, crime no. 339/17 Under Section 409, 504 and 506 of the Indian Penal Code (IPC) has been registered against a named person and other unknown accused.

Ms. Shweta Yadav, C.O. Sesamau who appears on behalf of the respondent states that the investigation of the said case shall be concluded within a period of six weeks.

Let it be done.

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 **Dispose of** the complaint.

## **Press Council of India**

Sl. No.32

File No.13/23/17-18-PCI.

### **Complainant**

Sh. Pankaj Panchal,  
Editor,  
Ujjain AajTak,  
Ujjain (M.P.)

### **Respondents**

The Chief Secretary,  
Government of Madhya Pradesh,  
Bhopal (M.P.).

The District Collector &  
District Magistrate,  
Office of the District Collector & DM,  
District Ujjain (M.P.)

The Director,  
Divisional Public Relations Office,  
Ujjain (M.P.).

Shri Gopaldas Chinchani,  
Ujjain (M.P.).

### **Adjudication** **Dated 21.9.2017**

This complaint dated 10.5.2017 has been filed by Shri Pankaj Panchal, Editor, Ujjain AajTak, Ujjain (M.P.) against the District Administration, Ujjain and Shri Gopaldas Chinchani, Ujjain allegedly for exerting pressure on him following publication of critical writings. According to the complainant, he has published a news item under the caption “जमीनों के सौदागर” in his newspapers issue dated

November, 2016. Annoyed, the respondent-Shri Gopaldas Chinchani and his sons had tried to pressurize him by using their political clout and failing which they had issued a defamation Notice against him. The complainant further submitted that he had also published critical news items on facts against the respondent in its issues of December, 2016 and annoyed with this, the respondent filed an application before the Additional District Magistrate that his magazine is irregular and the ADM has directed him to file his reply on 2.1.2017. The complainant submitted his reply on 17.1.2017 forwarding therewith a copy of the certificate issued by the Director, Office of the Divisional Office stating that his magazine is regular. However, the office of the Collector/DM issued letter dated 3.3.2017 to the Registrar of Newspapers for India (RNI) informing that his magazine is irregular. The complainant further submitted that the Information Department in its letter dated 9.2.2017 has informed that seven issue of his magazine for the year 2017; nine issues of 2015 and six issue of 2016 and total 22 issues of their magazine out of 36 issues have been received by their Department. The complainant alleges that Shri Gopaldas Chinchani exerted pressure on the Public Relations Office and the District Collector/District Magistrate, using his political clout for issuing the letter which is attack on freedom of press. The complainant has requested necessary action in the matter.

### **Written Statement of Shri Gopaldas Chinchani**

The respondent-Shri Gopaldas Chinchani vide his written statement dated 13.6.2017 while denying the allegations levelled stated that the case filed by the complainant is false and thus liable to be dismissed. The respondent submitted that the complainant published defamatory news items against him and filed a defamation case No.0-/2017 under Section 99/500/501/502/503 IPC against the complainant which is pending consideration before the Court and next date of the hearing is 9.8.2017. He added that the complainant filed the false complaint before the Press Council to defend himself. According to the respondent, the complainant appointed him as Sub-Editor for his magazine but he resigned on 10.10.2007 because the complainant indulges in unlawful activities. He added that the complainant pressurised him for collection of money illegally in the garb of advertisement in magazine and when he refused, the complainant tried to defame him. He submitted that he had filed the complaints before different authorities regarding irregularities in his magazine. The respondent has requested the Council to cancel the registration of the complainant's magazine.

### **Written Statement of Dy. Director, Information, Ujjain**

The Deputy Director, Divisional Information Office, Ujjain in his written statement dated 12.6.2017 submitted that the complainant has provided 22 issues of his magazine out of 36 for the last three years, which comes in the "Irregular" category.

### **Written Statement of Additional District Magistrate, Ujjain**

The Additional District Magistrate, Office of the District Collector/District Magistrate, Ujjain vide his written statement dated 12.7.2017 informed that Shri GopaldasChinchani filed a complaint that the complainant initially closed down his magazine and started it again arbitrarily by violating the rules and without informing the administration. Therefore, the complainant was asked to file his reply in the matter along with documentary evidence. In response thereto, the complainant vide his reply dated 17.1.2017 informed that his magazine is being published regularly. The respondent further submitted that the Public Relations Department, Ujjain vide its letter dated 9.2.2017 informed that they received only 6 issues of the complainant's magazine in the year of 2016. Thus, the 22 issues out of 36 issues for the three years comes under "Irregular" category and after confirmation of the irregular publication of the magazine, an application was sent to the RNI on 3.3.2017 for necessary action.

### **Counter Comments of the complainant**

The complainant vide his counter comments dated 12.7.2017 while reiterating his complaint and allegations has stated that the written statements filed

by the respondents are totally false and baseless and an attack on freedom of press. The complainant submitted that the news reports published against Shri-Chinchani were correct due to which he tried to pressurise him by using his political clout. While denying the statement of Shri Chinchani that the matter is pending consideration before the court, the complainant submitted that Shri Chinchani filed a case through his counsel before the Court but it is yet to be admitted, if Shri Chinchani submits all documentary evidence before the Court, and next date of the hearing will be on 9..8.2017. While denying the allegation of forcing Shri Chinchani for illegal collection, the complainant submitted that Shri Chinchani was indulging in illegal activities by using his magazine's name, therefore, he sacked from the job. He has requested the Council to take necessary action in the matter.

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

The matter came up for hearing before the Inquiry Committee on 16.08.2017 at Ahmedabad, Gujarat. Shri Gopal Das Chinchani, Ujjain, Madhya Pradesh appeared on behalf of the respondent. There was no appearance on behalf of the complainant.

The Inquiry Committee has perused the complaint and other connected papers. It is the allegation of the complainant that for the critical writings against the district Authority, at the instance of respondent, Shri Gopal Das Chinchani, a report has been forwarded to the Registrar for Newspapers of India (RNI) regarding irregular publication of the complainant's Magazine/Ujjain Ajtak.

Despite service of notice the complainant has not chosen to appear. The respondent, Shri Gopal Das Chanchani is present along with his Counsel. As the matter is pending consideration before the Registrar for Newspapers of India (RNI), the Inquiry Committee is not inclined to go into the merit of the case at this stage. In case any adverse order is passed by RNI against the complainant, he shall be at liberty to assail the same in accordance with law. The Inquiry Committee, accordingly, recommends for disposal 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 **Dispose of** the complaint with the aforesaid observations.

**Press Council of India**

Sl. No.33

File No.13/210/16-17-PCI.

Sh. Ansari Shahid Ahamad,  
Journalist,  
Central Observer,  
Mumbai (Maharashtra)

The Chief Secretary,  
Government of Maharashtra,  
Mumbai (Maharashtra)

The Principal Secretary,  
Home Department,  
Government of Maharashtra,  
Mumbai (Maharashtra)

The Director General of Police,  
Maharashtra Police,  
Mumbai (Maharashtra).

The Commissioner,  
Mumbai Police,  
Mumbai (Maharashtra).

The Commissioner,  
Thane City Police,  
Office of the Commissioner,  
Thane (Maharashtra).

The Commissioner,  
Nashik City Police,  
Nashik (Maharashtra).

**Adjudication**  
**Dated 21.9.2017**

This complaint dated 9.1.2017 has been filed by Ansari Shahid Ahamad, Journalist, Central Observer, Mumbai against Shri Sayyed Moinuddin Ashraf @ Moin Mian for allegedly registering FIRs against him with the connivance of the police officer due to publication of critical writing. According to the complainant, he wrote a news article in Central Observer on 28.8.2016 under the caption "आंजुमन

इस्लाम की करौंको की जगह पर मुईन लमयां का कब्जा". Immediately after this news, he came to know that three FIRs have been registered against him and the Editor of Central Observer bearing No.(1) FIR/CR 216/2016 dated 1.9.2016 under Section 295A/500/501/504/34 153(a)/120(b) IPC registered with Nagpada PS at Mumbai (2) FIR/CR No.435/2016 dated 4.9.2016 under Section 295A/500/501/504/34 153(a)/120(b) IPC registered with Mumbra PS, Thane district and (3) FIR/CR

No.00/2016 under Section 295(a)/500/501/504/34 IPC registered at Gangapur PS, Nashik district. The complainant has stated that it has been learnt through the station diary recorded by the duty officer, that the FIR has been registered at the behest of Shri R.D. Shinde, Addl. Commissioner, Central Zone, due to his proximity with the person against whom he had written the news article. The complainant has produced copies of the photographs disclosing the clout, proximity and nexus of Shri Sayyed Moinuddin Ashraf @ Mian Mia with senior police officials of Mumbai Police and senior politicians of the ruling and opposition parties of the present government. The complainant has stated that the said article is based on the proceedings filed before Waqf Board at Aurangabad that is a statutory authority under Waqf Act, 1995, thus, it leaves beyond of doubt that the FIR filed against him is nothing but a personal vendetta by the persons named in article and to curtail his investigative journalism. According to the complainant, he filed an Application No.1088/2016 before the Hon'ble Bombay High Court for quashing the FIR No.216/2016 under Section 295A/500/501/504/34 153(a)/120(b) IPC and after perusal of the application and news article, Hon'ble court found no ground for filing the Section 295A and ordered not to file the charge sheet till the next date. The complainant has also stated that there are number of FIRs lodged, in past, against the reporters at the behest of Shri Syed Moinuddin Ashraf @ Moin Miya, for news reports involving him, to pressurise reporter/journalist and to curtail his/her freedom for speech. He has requested the Council to investigate the matter.

Accordingly, Notices for Statement in Reply were issued to the Government of Maharashtra on 5.5.2017 but no reply has been received.

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

The matter came up for hearing before the Inquiry Committee on 17.8.2017 at Ahmedabad. Ansari Shahid Ahmad, the complainant appeared in person. Shri Vidyasagar V. Kalkundre, Police Inspector and Shri Hanmant S. Kshirsagar, Assistant Police Inspector appeared for the respondent.

It is unfortunate that for a legitimate piece of journalism, three FIRs have been registered against the complainant, the author of the story. These FIRs' have been registered at Nagpada Police Station, Mumbra Police Station and Gangapur Police Station, Nasik District, under section 295-A/500/501/504-34/153-A and 120-B of the Indian Penal Code(IPC). It is an admitted position that allegations in all these cases are one and the same. It is further an admitted position that the complainant has approached the Bombay High Court for quashing of the FIR registered with the Nagpada Police Station.

The Inquiry Committee has heard the complainant and the Inspector of Police of Nagpada Police Station, and Mumbra Police Station and has also perused the complaint and all other connected papers.

The Inquiry Committee is of the opinion that the concerned Officers of the respective Police Stations have registered the case under various provisions of the Indian Penal Code (IPC) without any application of mind.

The Inquiry Committee has glanced through the First Information Report and finds that there are no allegations in the FIRs' which can possibly constitute an offence under sections 295-A and 153-A of the Indian Penal Code (IPC). The Inquiry Committee finds the conduct of all the Police Stations, where the case has been registered, absolutely reprehensible. The complainant has not gone to the Bombay High Court against the FIR registered with the Mumbra Gangapur Police Station,

Nasik District. But unfortunately, even after the lapse of more than 11 months, no progress has been made in the investigation and the report contemplated under the law, has not been filed. It is expected from the Police agency to investigate the case of such nature without unnecessary delay. The Inquiry Committee is of the opinion that this has been kept pending purposely to put the complainant under severe stress and duress.

In the facts and circumstances of the case, the Inquiry Committee directs that investigation in respect of the cases registered at Mumbra Police Station and Gangapur Police Station, Nasik District be concluded without unnecessary delay. So far as the case registered with Nagpada Police Station, the Inquiry Committee is not giving any direction as the matter is pending before the Bombay High Court. The Inquiry Committee directs that the recommendation of the Council, be forwarded to the Director General of Police and Commissioner of Police, Mumbai for taking appropriate action

With the aforesaid direction, the Inquiry Committee directs for disposal of the complaint.

**Held**

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

## **Press Council of India**

Sl. No. 34

F.No.13/28/17-18-PCI.

**Suo-motu cognizance with regard to filing a criminal defamation case against Shri Govind Ingle, Journalist, Dainik Lokmat (Marathi).**

### **Adjudication** **Dated 21.9.2017**

In May 2017, the Council took suo-motu cognizance of news reporting that a criminal defamation has been filed by the police against Shri Govind Ingle, Journalist of Dainik Lokmat (Marathi) in Latur (Maharashtra) for allegedly showing cops in poor light following the helicopter mishap involving Chief Minister of Maharashtra, Shri Devendra Fadnavis in Nilanga. The report written by the scribe, published in a regional daily, claimed that police officials “ran away from the accident site after the crash, fearing that it would explode”, while a local scrap dealer rushed to the spot shouting “our ruler is trapped in the chopper” and rescued the Chief Minister, said a police officials. It was further reported that the police official said the journalist, “instead of appreciating evidence in the form of videos and photographs, which clearly show police running to the CM’s rescue, published a report that was a false and defamatory”.

A report on facts of the case was sought from the Government of Maharashtra on 29.5.2017

Simultaneously, the affected journalist-Shri Govind Ingle and Editor, Lokmat was also requested to file comments in the matter but no reply was filed from him.

### **Report of Govt. of Maharashtra**

Shri Yuvraj Ajetrao, Deputy Secretary to Govt. of Maharashtra, Home Department, Mumbai vide his reply dated 27.6.2017 has submitted that a Report was called from the Superintendent of Police, Latur in the matter and as per the report, there was tour programme of Hon’ble Chief Minister of Maharashtra, Shri Devendra Fadnavis on 24.5.2017 and 25.5.2017 in Latur District. After the programme, Hon’ble Chief Minsiter came to Helipad at Nilanga to take off for Mumbai by Helicopter. It has been further informed that at that time, at the Helipad, Hon’ble Guardian Minister, Shri Sambhajipatil Nilangekar, Special Police Inspector General, Nanded, Range Nanded; District Collector, Latur; Superintendent of Police, Additional Superintendent of Police and other police officers and staff appointed for the sake of arrangement were present. After the helicopter took off and went up to some distance, the helicopter came down to the west side of the helipad, on the road, opposite to house of Bharat Kamble of Mhada Colony. Considering the seriousness of the said incident, Special Police Inspector General, Nanded Range Nanded; Superintendent of Police, Latur as well as Hon’ble Guardian Minister, District Collector and other police officers and staff present immediately rushed to the spot of incidence and Hon’ble Chief Minister and the officers accompanying him were taken out of the helicopter.

He has further informed that on 26.5.2017, in Daily Lokmat "Hello Latur", a news item was published that "police ran away, but Irfan rushed for Chief Minister" and in that it was mentioned that the people present at the place of incidence were running wherever they could and at that time Shri Irfan Shaikh had rushed in for the help and opened the door of helicopter and had removed Chief Minister from the helicopter.

According to him, after the said incident the police officer and employees who were at the helipad for arrangements had shown alertness at that time and had done excellent work. However, the correspondent of Daily Lokmat, Shri Govind Ingle had published a news that defamed the police and a question mark was put on the excellent work done by the police and employees who were there for arrangements. Due to the said news and question mark put on the duty and devotion of entire police machinery and being aggrieved by it, Shri Hanmant Satish Padil, Police Naik, posted at Police Station Nilanga, filed a complaint Nilanga Police Station on 28.5.2017, that the correspondent of Daily Lokmat at Nilanga, Shri Govind Ingle had given a false news which was defamatory and derogatory of the government machinery and police force and had caused loss of reputation etc. On the complaint, an offence of Non-cognizable nature has been filed at Police Station Nilanga vide public NC No.215/17 under Section 500 IPC. He has further informed that no further action has been taken in the matter.

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

The matter came up for hearing before the Inquiry Committee on 17.8.2017 at Ahmedabad. There was no appearance on behalf of Lokmat newspaper. Shri Gopal Ranjankar, Dy.S.P. Nilanga, Latur appeared for the respondent.

The Council took suo-motu cognizance, when it came to its notice that an FIR has been registered against a journalist for writing that Policemen ran away when the Helicopter of the Chief Minister crashed. The concerned journalist Shri Govind Ingle, in the newspaper Dainik Lokmat wrote that Police Officials ran away from the accident site after the crash fearing that it would explode. One Naik of the Police Station asserted that what has been published in the newspaper is false and accordingly lodged a report in the Police Station which led to the registration of the case under section 500 of the Indian Penal Code (IPC).

The Council being prima facie of the opinion that lodging of the FIR against the journalist for his writing affects the freedom of press, took suo-motu cognizance of the case and called for a report from the Government of Maharashtra. The Government of Maharashtra has submitted the report in which it has been stated that the case has been registered on the basis of the information given by one Shri Hanumant Satish Pandey, Police Naik posted at Police Station, Nilanga, Maharashtra on 28.05.2017 against the correspondent of Daily Lokmat. The Deputy Superintendent of Police, Nilanga, Mr. Gopal Ranjankar is present and states that on the basis of the report given by the Police Naik, a non-cognizable case no. 250/17 was registered under section 500 of the Indian Penal Code (IPC). Thereafter, an application was filed before the Jurisdictional Magistrate seeking permission to investigate the case, and such a permission has already been granted by order dated 30.05.2017. He further states that the matter is under investigation and the investigation shall be concluded by 31 August, 2017.

Let it be done.

As the matter is under investigation, the Inquiry would not like to say anything more than to observe that a clarification/contradiction, in the facts and circumstances of the case, could have served the purpose, instead of lodging the FIR.

The Inquiry Committee drops the proceedings 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 Drop the proceeding and with aforesaid observations.

## **Press Council of India**

Sl.No. 35

F.No. 13/104/16-17-PCI

Suo-motu cognizance with regard to murder of Shri Kishore Dave, Jai Hindi newspaper in Junagarh (Gujarat).

### **Adjudication**

**Dated 21.9.2017**

The Council took suo-motu cognizance after having taken note of various news reports and communications received from the Member of the Council that Shri Kishore Dave, Journalist of Jai Hindi newspaper was brutally stabbed to death for his report against a politician's son. It is reported in the newspaper that Shri Kishore Dave, Bureau Chief of Jai Hindi newspaper, was stabbed multiple times by two or three assailants at his office when he was alone. A senior police officer said that personal enmity could be a reason behind the murder without naming any suspects. However, Daves family members have pointed fingers at former Minister and BJP leader, RatilalSureja for his involvement. The journalist's family say that the politician's son, a local doctor namely BhaveshSuraj, held Mr. Dave responsible after a few local papers wrote about a case of alleged sexual harassment involving him. Mr. Dave's newspaper did not report on the case. The journalist was arrested in October last year for allegedly defaming the doctor through WhatsApp messages.

A Report on the facts of the incident was called for from the Govt. of Gujarat on 26.08.2016.

### **Reply of Dy. Secretary, Home Department, Gandhinagar**

Shri Nalin Nisarta, Deputy Secretary to Govt., Home Department Gandhinagar vide letter dated 31.12.2016 informed that an FIR has been logged at B Division Police Station of Junagarh City with No. 138/2016 u/s 302, 449, 201, 120NB of IPC and 135 of Gujarat Police Act. All the three accused have been arrested and necessary charge sheet also been filed in the competent court of law.

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

The matter came for hearing before Inquiry Committee held on 17.08.2017 at Ahmedabad. Shri Nilesh Jajadia appeared for the Superintendent of Police, Junagadh, Gujarat.

The Council took suo-motu cognizance of the case regarding the murder of a journalist, when it came to its notice from the communication of few esteemed members of the Council, a report has been called for, from the Government of Gujarat. Such a report has been submitted in which it has been stated that on the basis of the information given by maternal cousin, Crime No. 138/2016 was registered with the Jungarh Police Station under Section 302 and other sections of the Indian Penal Code (IPC). The Superintendent of Police Jungarh is present and states that it was a blind murder case and the Police after investigation has solved the crime and submitted Charge Sheet against three persons who are facing trial in a

Court of law. It has been pointed out that the murder did not take place on account of any journalistic activity.

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

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

## **Press Council of India**

Item No. 36

File No.13/237/16-17-PCI.

### **Complainant**

Shri Ashroba Kedare,  
Editor,  
Kripavant Weekly,  
Parbhani (Maharashtra).

### **Respondents**

The Chief Secretary,  
Government of Maharashtra,  
Mumbai (Maharashtra)

The Chief Officer,  
Municipal Council Manvat,  
District Parbhani,  
(Maharashtra)

### **Adjudication**

**Dated 21.9.2017**

This complaint dated 22.2.2017 has been filed by Shri Ashroba Kedare, Editor, Kripavant Weekly, Parbhani (Maharashtra) against Municipal Council Parbhani (Maharashtra) for non-payment of advertisement bill. According to the complainant, on receiving of a letter dated 30.10.2013 from the Municipal Council, Manvat he published an advertisement in his newspaper's issue dated 6.11.2013, however, despite repeated requests the respondent has not paid advertisement bill amounting to Rs.5,000/- till date. The complainant stated that the circulation figure of his newspaper is 5,000 @ Re.1/- per copy, therefore, the said amount is very important for him. The complainant further stated that due to non-payment of the bill he is facing financial crisis. While requesting for condonation of the delay in filing the complaint, he has requested to take necessary action in the matter.

### **No Reply**

Notices for Statement in Reply were issued to the respondent-Chief Secretary, Govt. of Maharashtra, Mumbai and the Chief officer, Municipal Council Manvat, District Parbhani (Maharashtra) on 8.3.2017 but no response has been received from either side.

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

The matter came for hearing before Inquiry Committee held on 17.08.2017 at Ahmedabad. The complainant, Shri Ashroba Kedare, Editor, appeared in person.

It is the allegation of the complainant that he got order for publishing an advertisement from the Municipal Council (Manvat) and accordingly, he published the advertisement in his newspaper on 6.11.2013. It is his further allegation that he raised Bill of Rs. 5000/- (Five Thousand only) for publication of the said advertisement but till date the Municipal Council (Manvat) has not paid him the said amount.

Despite service of notice, the Municipal Council (Manvat) has not filed any reply. In the facts and circumstances of the case, the Inquiry Committee directs the

Municipal Council (Manvat) to examine the claim of the complainant within 6 weeks and pay the amount due, if any, along with interest @6% per annum.

The Inquiry Committee, accordingly, directs for the 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 **Dispose of** the complaint with directions.

## **Press Council of India**

Item No. 37

File No.13/12/17-18-PCI.

### **Complainant**

Sh. Munna Ahmed,  
Chief Editor,  
Alfaz Today,  
Ajmer (Rajasthan).

### **Respondents**

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

The Nazim,  
Dargah Committee,  
Dargah Khwaja Sahab,  
Ajmer (Rajasthan)

### **Adjudication**

**Dated 21.9.2017**

This complaint dated 18.4.2017 has been filed by Shri Munna Ahmed, Chief Editor, Alfaz Today, Ajmer (Rajasthan) against Dargah Committee, Dargah Khwaja Sahab, Ajmer (Rajasthan) for allegedly discontinuing advertisements to his newspaper due to publication of critical news items. According to the complainant, the respondent-Committee vide letter dated 31.3.2017 informed him that the Dargah Committee in its meeting held on 11.1.2017 decided not to get its advertisement published in the paper and also not to send bill in this regard in future. The complainant stated that the Committee did not mention any reason in its letter as to what basis his paper is being deprived from the advertisements. The complainant submitted that he exposed the corruption, irregularities prevailing in the Dargah Committee in his newspapers' issues of October, November and December, 2016 due which the Committee deliberately issued such orders. The complainant alleged that the action of the respondent-Committee is curtailment of freedom of press. He has requested the Council to take necessary action in the matter.

Notices for Statement in Reply were issued to the Chief Secretary of Govt. of Rajasthan and the Nazim, Dargah Committee, Dargah Khwaja Sahab, Ajmer on 12.5.2017.

### **Written Statement of Dargah Committee**

The Nazim, Dargah Committee, Dargah Khwaja Sahab, Ajmer vide its written statement dated 30.5.2017 has submitted that the Dargah Committee, Dargah Khawja Sahab is a corporate body constituted under Section 4 of the Dargah Khwaja Sahab Act No.36 of 1955 under the Ministry of Minorities and is empowered to take all decisions in the interest of the Dargah. While denying the allegations of curtailment of Press freedom as levelled in the complaint, the respondent stated that the decision of discontinuing the advertisements to complainant's newspaper is within the jurisdiction of the Dargah Committee and its Nazim. The respondent also

submitted that the allegations levelled in the news items published by the complainant in his newspaper's issues of October, November and December, 2016 are totally false and baseless. He has requested the Council to dismiss the allegations levelled by the complainant.

A copy of the written statement of Dargah Committee was forwarded to the complainant on 8.6.2017.

### **Counter Comments**

The complainant, Shri Munna Ahmed, Chief Editor, Alfaz Today, Ajmer vide his counter comments while reiterating his complaint has denied the written statement of the Dargah Committee. The complainant alleged that the respondent-Dargah Committee under a planned conspiracy and by misusing their powers not only banned advertisements to his newspaper but also removed publicity boards of the publication, which were installed after approval of the Dargah Committee. The complainant submitted that the news items published by him in his newspapers were true and published after due verification and if the news items were wrong, the respondent Dargah Committee should raise objection on it in writing.

A copy of the counter comments was forwarded to the respondents on 20.6.2017 for information.

### **Order from Central Information Commission dated 11.7.2017**

A copy of Order dated 11.7.2017 issued by Shri. M. Sridhar Acharyulu, Central Information Commissioner was filed before the Inquiry Committee on 17.8.2017 by the representative of Dargah Committee at Ahmedabad, wherein the Commissioner passed the observation against the complainant stating that the complainant unreasonably demand huge information among other things, about his earlier RTI applications, the responses, purpose of which appears to cause harassment to the management of the committee and its employee. The Dargah has to update the website periodically and disclose all its schemes, aid, assistance, pension like details, so that citizens need not ask such information through RTI applications. He has further submitted that the Commission warns the complainant not to harass the public authority and finds that sufficient information was already furnished, hence, the second appeal was disposed.

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

The matter came for hearing before Inquiry Committee held on 17.08.2017 at Ahmedabad. The complainant, Shri Munna Ahmed appeared in person. Shri Shah Nawaz, Supervisor of Dargah Committee and Shri Bhanu Pratap Gurjar, Assistant Public Relation Officer appeared for the respondent.

The Inquiry Committee has heard the complainant and the representative of the respondent and finds no merit 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 **Dismiss** the complaint.

## **Press Council of India**

Sl.No. 38

F.No.13/30/17-18-PCI.

Suo-motu cognizance with regard to murder of Shri Kamlesh Jain, Reporter of NaiDunia in Mandsaur (M.P.) and Shri Shyam Sharma, Journalist in Indore (M.P.).

### **Facts**

The Council initiated suo-motu action when its attention was drawn by it's one of the members regarding of Shri Kamelsh Jain, Reporter of Nai Duniya who was shot dead from close range on 31.5.2017 in his office at Pipliya Mandi, a small town in Mandsaur district of Madhya Pradesh by two assailants suspected to be from liquor mafia as the journalist had exposed their business in his reports.

Besides this Shri Shyam Sharma, a journalist working for an evening daily in Indore was also brutally murdered in broad day light on 15.5.2017.

Reports on facts of the cases called for from the Government of Madhya Pradesh on 5.6.2017.

### **Reply of Superintendent of Police, Indore**

The Superintendent of Police (HQ), Office of the Deputy Inspector General of Police (City), Indore vide his letter dated 21.6.2017 has forwarded a copy of the Report dated 18.6.2017 of SHO, Police Station-Shipra, Indore wherein it has been informed that there was a dispute between Shri Shyam Sharma and his tenants namely; S/Shri Jitendra Malivya and Jitendra Chauhan for non-payment of rent. Due to which, they both attacked and killed Shri Sharma with knife on 15.5.2017. According to the report, a case No.177/17 dated 15.5.2017 under Section 302/120B IPC has been registered in this regard and both the accused have also been arrested on 26.5.2017 and sent to judicial custody.

No reply was received from the Government of Madhya Pradesh with regard to the murder of Shri Kamlesh Jain.

### **Communication from the Deputy Director General of Police, Indore dated 16.08.2017**

A communication dated 16.8.2017 received from Shri Ashok Upadhyay on behalf of Shri Harinarayanchari Mishr, Deputy Director General of Police, Indore, at the time of hearing held on 16.8.2017 at Ahmedabad wherein it is submitted that a case No.177/17 dated 15.5.2017 under Section 302/120B and 25 Arms Act, IPC had been registered and the accused Shri Jitender s/o Shri Gangaram, Ujjain and Shri Jitender s/o Dev Karan Chauhan would be presented before Court on 17.8.2017.

**Communication from Superintendent of Police, Mandsaur dated 15.08.2017.**

A communication dated 15.8.2017 has been received from Shri Manoj Kumar, Superintendent of Police, Mandsaur, M.P. wherein it is submitted that the deceased Shri Kamlesh Jain was a reporter for "Pipliya Sandesh" and wanted to get married to Smt. Sangeeta, a widow, on 2.6.2017. The information of their marriage reached to Shri Sudheer Jain (Brother in law of Smt. Sangeeta). Shri Sudheer Jain met inmate Shri Aajam Khan and Shri Gopal and in connivance of Shri Dheeraj Agarwal hatched a conspiracy and gave Rs.50 lakh to a contract killer in order to kill Shri Kamlesh Jain, on 11-12 May, 2017. Later, as per planning on 31.5.2017, Shri Kamlesh Jain was shot dead. All the accused in the case have been arrested and report has been produced before the Magistrate for further processing.

**Report of the Inquiry Committee**

The matter came for hearing before Inquiry Committee held on 17.08.2017 at Ahmedabad. Shri Kamlesh Singhal, Inspector, Mandsaur, M.P. and Shri Ashok Upadhyay, Sub Divisional Officer of Police, Indore, appeared for the respondent.

The Council took suo-moto cognizance of the case when it came to its notice that two journalists namely Mr. Shyam Sharma and Mr. Kamlesh Jain have been murdered. A report was called for, from the Superintendent of Police, Indore. In his report, he has stated that Mr. Shyam Sharma was killed by his tenant and the killing has not taken place on account of any journalistic activity. Mr. Kamlesh Singhal, Superintendent of Police, Indore is present and states that during the course of investigation it has been found that Mr. Kamlesh Jain was killed by a contract killer. He further states that his killing has also nothing to do with his journalistic activity.

The Inquiry Committee is, therefore, not inclined to proceed in the matter any further.

**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 accordingly **Drops the proceedings** in the matter.

