

Adjudications rendered by the Council in (Under Section 14) on 09.10.2017

MEETING OF THE INQUIRY COMMITTEE-I SCHEDULED TO BE HELD ON 19-20

September 2017 New Delhi

1. Complaint of Prof. K.K. Srivastava, Hazaribagh, Jharkhand against the editor, Hindustan, Ranchi **14/385/15-16.**
2. Complaint of M/s 63 Moons Technologies (India) Limited against the Editor, Mint, New Delhi **14/47/17-18.**
3. Complaint of Smt. Kavitha Kuruganti, Bangalore against the Editor, the Financial Express, New Delhi. **14/208/16-17**
4. Complaint of Shri Imran Farid, U.S. to the Govt. of India, Ministry of I&B, New Delhi against the The Editor, Dainik Jagran, 501, INS Building Rafi Marg, New Delhi **14/24/17-18 (CENSURE)**
5. Complaint of Shri Pankaj K. Gupta, Deputy Registrar, DDE, Kurukshetra University, against the Editor, The Tribune Trust, Chandigarh. **14/546/16-17**
6. Complaint of Shri Yashwant Jain, Member, National Commission for Protection of Child Rights, New Delhi against the Editor, Dainik Bhaskar, **14/584/16-17. (CENSURE)**
7. Complaint of Dr. S.C. Tyagi, Malviya Nagar, New Delhi against the Editor, Times of India, 7, B.S.Z. Marg, Delhi **14/101/17-18**
8. Complaint of Dr. P.K. Jain, Majlis Park, Delhi against the Editor, Punjab Kesari, Wazirpur, New Delhi **14/97/17-18**
9. Complaint of Shri Hariom Singh, Gulab Sagar, Peepli Chowk, Jodhpur, Rajasthan, against the Editor, Dainik Jaltedeep, Jodhpur, Rajasthan. **14/86/17-18**
10. Complaint of Mr. Joseph Emmanuel, Regional Director, CBSE present Secretary, CBSE, Panchkula through Shri Rituraj Biswas, Advocate against the editor, Union Territory Independent, New Delhi. **14/550/16-17**

**MEETING OF INQUIRY COMMITTEE-II SCHEDULED TO BE HELD on 3-4
October, 2017 in New Delhi**

11. Complaint of Shri Karan Singh Rana, Kurukshetra against the editor, Dainik Jagran, Haryana. **14/382/16-17**
12. Complaint of Shri Gopalan Acharya, New Delhi against the editor, India Today **14/557/16-17**
13. Complaint of Shri Gopalan Acharya, New Delhi against the editor, Times of India **14/558/16-17**

- 14.** Complaint of Shri Gopalan Acharya, New Delhi against the editor, Press Trust of India, New Delhi **14/559/16-17**
- 15.** Complaint of Shri Gopalan Acharya, New Delhi against the editor, The Hindu, New Delhi **14/560/16-17**
- 16.** Complaint of Shri Gopalan Acharya, New Delhi against the editor, The Hindu, New Delhi 14/560/16-17. The District Collector, Samaharnalay, Aurangabad, Bihar against the Editor, Aaj, Patna, Bihar, **14/284/16-17**
- 17.** Complaint of Prof. S. Krishnaiah, Registrar Jawaharlal Nehru Technological University, AP against the Editor, Sakshi, Telugu Daily, Hyderabad. **14/507/16-17**
- 18.** Complaint of Shri N.L. Chawla and Y.V.V.J. Rajasekhar, New Delhi against the Editor, Indraprastha News Reporter. **14/469/16-17**
- 19.** Complaint of Shri Sudeep Chatterjee, Advocate, New Delhi against the editor, Mid-Day. **14/381/16-17.**
- 20.** Complaint of Shri Murari Lal Bansal, M.P. against the editor Star Samachar, M.P. **14/184/15-16.**
- 21.** Complaint of Ms. Preeti Shah, Chief General Manager-CERC editor, Grahaksaathi, Ahmedabad against the editor, Times of India, Ahmedabad. Summons. **14/53/17-18. (CENSURE)**
- 22.** Complaint of General Secretary, Popular Front of India, Kerala State Committee, Kozhikode against the editor, Janmabhoomi, Kozhikode. **14/552/16-17**
- 23.** Complaint of Smt. Lilly Gupta, New Delhi against the editor, Democratic Mission, Patna Bihar **14/100/17-18. (CENSURE)**
- 24.** Complaint of Shri Nikhil Madhukar Walimbe, Mumbai against the editor, Loksatta. Mumbai. **14/95/17-18**
- 25.** Complaint of Shri Dulal Bora, Guwahati against the editor, Asomiya Khabar, Guwahati. **14/345/16-17**
- 26.** Complaint of Shri Ganeswar Nayak, Odisha against the editor, The Sambad, Bhubaneswar. **14/587/16-17**
- 27.** Complaint of Shri Arun Ch Borthakur, Secretary, Sri Sri Maha Vishnu Jangya Mandir, Jorhat against the editor, Asomiya Pratidin Guwahati. **14/580/16-17**

Press Council of India

Item No. 1

F. No. 14/385/15-16-PCI

Prof. K.K. Srivastava,
Director, Directorate of
Distance Education,
Jharkhand

The Editor,
Hindustan,
Ranchi

Adjudication

Dated 9.10.2017

This complaint dated 20.7.2015 has been filed by Prof. K.K. Srivastava, Director, Directorate of Distance Education, Jharkhand against the editor, Hindustan, Ranchi for allegedly publishing fake and vulgar advertisements. The complainant has submitted that not only the photograph are vulgar but also the contents of the advertisement are totally misleading and full of motivated statements. He further stated that it is unfortunate that such advertisements are published in newspapers which are seen and read by thousands of children. The complainant submitted that this kind of advertisements leaves adverse impact on adolescent boys and girls and this abates sex related crime by young people. He has requested the Council to intervene in the matter and save young generation.

A Show Cause Notice issued to the respondent editor, Hindustan, Ranchi on 2.12.2015.

Written Statement

The respondent in his written statement dated 2.1.2017 has denied the allegations made by the complainant and stated that the complaint is baseless and without merits coupled with ulterior motives. He has further stated that there is no involvement of the editor in selection, approval and editing of the impugned advertisements. He has submitted that the advertisements have been printed as it is received from the respective advertiser. He has further submitted that the said advertisements, however, in any manner, are not explicit in nature and do not in any form represent any sexual material which may leave an adverse on its readers. Such advertisements are well within the boundaries of reasonable confined limits, and cannot be considered as obscene, derogatory or of bad taste in any context. The respondent has requested to dismiss the complaint filed by the complainant with exemplary cost in the interest of justice.

A copy of the written statement was forwarded to the complainant on 12.1.2017 for information.

Counter Comments

The complainant in his counter comments dated 19.1.2017 has stated that the allegation against him that he has filed the complaint with ulterior motive, is denied and no evidence has been cited by the respondent to prove the allegation. He has further stated that the impugned obscene advertisements would suggest to the mind of the young ones of either sex and even to a person of advanced years, thoughts of the most impure and libidinous character. It has the potential to deprave and corrupt by immoral influence by arousing lustful

desire. He has requested the Council to declare the practice of the newspaper unethical and take such steps which restrains newspapers from publishing such sex related advertisements or any such decision which Council deem fit for the benefit of society at large.

A copy of the counter comments was forwarded to the respondent on 6.3.2017 for information.

Report of the Inquiry Committee

The matter came up for final hearing before Inquiry Committee on 19.9.2017 at New Delhi. No one has appeared for the complainant and Shri Arun Pathak, Advocate appeared on behalf of respondent.

The complainant is aggrieved by various classified advertisements published in the respondent newspaper.

When the matter came up before the Inquiry Committee on 13.7.2017, the counsel for the respondent submitted that a detailed policy on the issue of advertisement of the nature complained shall be placed before the Inquiry Committee in the next meeting. Today Mr. Pathak appears on behalf of the respondent and states that there is no such policy and advertisements are handled by the advertisement department. The Press Council of India has framed Norms for Journalistic conduct on various subjects, including advertisements and made it clear that the editor is responsible for all matters including advertisement published in the newspaper. The Council has also laid down guidelines in relation to advertisement same reads as follows:

“Classified advertisements of health and physical fitness services using undignified languages, indicative of covert soliciting, are viol-ative of law as well as ethics. The newspaper should adopt a mechanism for vetting such an advertisement to ensure that the soliciting advertisements are not carried”.

The Inquiry Committee expects from all the editors of the all the newspaper of the country to adhere to the guidelines laid down by the Press Council of India in the Norms of Journalistic Ethics.

The Inquiry Committee has considered the impugned advertisements in the light on the guidelines laid down by the Council and finds that they are not in conformity with the same.

In the facts and circumstances of the case the Inquiry Committee cautions the respondent and directs the respondent to adhere the guidelines formulated by the Press Council of India in true spirit in future. The Inquiry Committee recommends for disposal of the complaint with the aforesaid observations.

Held

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

PRESS COUNCIL OF INDIA

Sl.No. 2

F.No.14/47/17-18/PCI

<u>Complainant</u>	<u>Respondent</u>
63 Moons Technologies(India) Limited Mumbai.	The Editor, Mint Newspaper, New Delhi.

Adjudication

Dated 9.10.2017

This complaint dated 31.03.2017 has been filed by 63 Moons Technologies(India) Limited, Mumbai, against the Editor Mint Newspaper, New Delhi, for alleged publication of prejudice and malafide news items in its issue dated 24.03.2017 under the caption as follows:

S.No.	Caption	DATE
1	NSEL Case: CBI charges FTIL, Shah, others.	24.03.2017
2	CBI Charges FTIL, Shah in NSEL Scam	24.03.2017
3	NSEL Payments Scam: CBI Charge sheet accuses Jignesh Shah of cheating, criminal conspiracy.	24.03.2017

The complainant submitted that beside above impugned news items, the respondent has been carrying series of article against them. It is reported in the impugned news items that the CBI has charged 20 entities and some of their officials for cheating state owned commodities trading firms PEC Ltd. and MMTC Ltd. in connection with the Rs.5600 Crores payment fraud that surfaced in 2013 at National Spot Exchange Ltd.(NSEL). The entities include NSEL, its parent Financial Technologies India Ltd., (FTIL), PD Agro Processors Ltd., Dunar Foods Ltd. and Mohan India Ltd. It is further reported in the impugned news item that in the charge sheet CBI has alleged that FTIL was the major beneficiary of the revenues of NSEL earned by paired contracts.

Denying the allegations levelled in the impugned news items the complainant submitted that the respondent seems to have adopted an agenda in writing articles/stories against the company and its Chairman Emeritus & Mentor, Shri Jignesh Shah. He has stated that this sort of biased journalism results in lopsided coverage and the articles in question are also disparaging and amounts to prejudicial

reporting. He has further submitted that almost every article by the respondent contains a picture of Shri Jignesh Shah with the sole intent of causing prejudice against him in the ongoing investigations and various sub-judice matters. According to the complainant this sort of reporting is not fair reporting and is liable to adversely affect him in several ways including their overall goodwill, impacting the share prices and most importantly impacting the ongoing investigation.

The complainant alleged that the respondent, being an interested party, is hell bent in carrying out the said impugned articles just before any sensitive date of hearing in the forums/tribunals/Courts or even when there is ongoing investigation being carried out. It is therefore evident that the misreporting in the impugned article is deliberate with the malafide intent of adversely influencing the investigating agencies and obstructing the judiciary against Complainant and its Chairman Emeritus Mr. Jignesh Shah, in matters, which are sub-judice.

The complainant replied to the letter of respondent and denied all the allegations. He has requested the Council to take action against the respondent.

A show cause notice was issued to the respondent editor on 24.05.2017,

Written Statement

A reply dated 7.06.2017 has been received from HT Media on behalf of the "Mint" newspaper, wherein, it has been submitted that alleged complaint of the complainant is baseless, without merits coupled with ulterior motives. The focus of the news article was clearly about the plans of Government regarding tougher norms for commodities spot market not about complainant. It is pointed out that the charge sheet filed in the Case no. RC BSM 2014 E 0001, by the concerned investigating Officer of CBI, Bank Securities & Fraud Cell, Mumbai is on record and news was published on the relevant documents available with the concerned correspondent. He further submitted that SEBI also issued Show Cause notices to brokers on the same subject and proceeded with appropriate actions in this regard. Further, the matter has been referred to the concerned Court wherein based on investigation, the investigation agency filed detailed Charge sheet against the accused. He has further submitted that except the news article dated 24.3.2017, under titled " NSEL Case: CBI charges FTIL, Shah, others" other news articles can be challenged as the limitation(within two months) for filing the complaint is as per provision of Regulation 3(f) of Press Council Regulations, 1979. The respondent has prayed to Council that the complaint is not maintainable in the eyes of law, therefore, it should be dismissed.

Report of the Inquiry Committee

Following an adjournment dated 12.7.2017, the matter came up for final hearing before the Inquiry Committee on 19.9.2017 at New Delhi. Shri Vivek Tankha, Sr. Advocate, Shri Vishwanathan Kumar, Advocate and Shri Rishabh Sancheti, Advocate, appeared on behalf of complainant. Shri Anoop Bhambani, Sr. Advocate Shri Arun Pathak, Advocate, Shri Ankit Srivastava, Advocate, and Shri Govind Vijay, Advocate, appeared for the respondent paper.

The Inquiry Committee has heard both the parties at length. The Inquiry Committee has also perused the complaint and written statement and other connected papers and is of the opinion that the respondent newspaper has not

breached journalistic ethics while carrying the impugned news items. The Inquiry Committee accordingly recommends for the dismissal of the complaint.

Held

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

Press Council of India

Sl.No. 3

F.No.14/208/16-17-PCI

Ms. KavitaKuruganti
New Delhi

The Editor
Financial Express
New Delhi

Adjudication

Dated 9.10.2017

This complaint dated 25.7.2016 has been filed by Ms. Kavita Kuruganti against the editor, Financial Express alleging publication of news items vilifying her in its issue dated 30.6.2016 under the caption "***Genetic engineering: Activists behaving like their lively hood depends on blocking GM mustard.***"

It is reported in the impugned news item that the complainant and six other activists who call themselves grandly as the coalition for a GM-free India stormed out of a meeting with the Genetic Engineering appraisal Committee (GEAC) and demanded to trash DMH-11 which is a genetically modified mustard hybrid developed with public money by geneticist and former Delhi University Vice-Chancellor. It is also reported in the impugned news item that there are reports that the GEAC is giving in and might listen to the activists in the third week of July. Perhaps it wants to look correct and not to be accused of being undemocratic. It is also reported that the complainant has little respect for the GEAC and regarding the research and testing of DMH-11 she said it brings shame to the scientific establishment, the testing protocols and data are unscientific and laughable. The observations are unbelievable and untenable and the interpretation is outright lies.

Denying the allegations levelled in the impugned news report the complainant stated that same is personal vilification (direct or indirect) against her and others, rather than any objective, unbiased presentation of evidence and arguments on the matter of GM mustard. The complainant also submitted that she personally don't hold any job nor earn a salary and no livelihood of mine depends on anti-GM activism as insinuated in the news reports. She further stated that it is distasteful that a national daily indulges in the superficial, tangential discussion on activist livelihoods. She also stated that they already presented enormous evidence around why Delhi University scientists including vice[chancellor are wrong in claiming that DMH-11 transgenic mustard hybrid is needed in India, whether it will indeed out yield existing well-tested hybrids and other cultivars and whether it will indeed bring down India's oil import bill.

The complainant vide letter dated 1.7.2016 drew the attention of the respondent towards the impugned news item and requested him to publish a rejoinder to uphold fair journalistic traditions of balanced presentation of public debates, but received no response. The complainant requested the Council to investigate the matter.

A Show Cause Notice was issued to the respondent the editor, Financial Express on 23.8.2016.

Written Statement

The respondent editor in his written statement dated 12.9.2016 stated that there is nothing to support the complainant's allegation of conflict of interest and or that the newspaper had any motive or vested interest in publication of the column or any payment has been made to the newspaper or the columnist by any biotech company for publication of the column. The sentence to which complainant has objected. "They are behaving as if their livelihood depends upon blocking GM mustard" as can be seen from the column, is a simile having reference to the intemperate language and pressure tactics that activists use, and does not reflect her source of income. The debate and discussion on GM seeds for the mustard hybrid needs to be made in the press and media. That respected scientist and such as Deepak Pental and his team's immense efforts and submissions to be Genetic Engineering Approval Committee (GEAC) should be allowed to be brought to the public.

The complainant stated that he has not sent a letter to the editor of the newspaper which is a mandatory provision of Regulation 3 of the Press Council (Procedure for Inquiry) Regulations, 1979 while the complainant has already written a letter to the respondent through the email dated 1.7.2016.

A copy of the written statement was forwarded to the complainant on 3.10.2016 for counter comments.

Counter Comments

The complainant in her counter comments dated 9.10.2016 received through email on 15.10.2016 has stated that she has sent an e-mail on 1.7.2016 on the –mail id of the editor which is available on their website and again on 2.7.2016 but received no response. She has further stated that if the newspaper does not chose to put out correct contact details of their editor in public domain then she as a complainant cannot be blamed. She has further stated that the editor have to show proof of intemperate language used that too falls under the regulation of the Council. She has submitted that her objections to the piece and her complaint against the nature of the article are not meant to be resolved through a Letter to Editor as suggested by the Financial Express editor's response and she chose not to take that route. She still demands that there should be an apology from the author and editor, space for a rejoinder to be published, in addition to the revelation of conflict of interest of the columnist.

A copy of the counter comments was forwarded to the respondent on 26.10.2016 for information.

Response from the Respondent

The respondent vide his reply dated 1.8.2017, while giving rejoinder to the counter arguments of the complainant, has stated that the complainant has grievance against one sentence in impugned column which has been removed, it is her contention that one sentence personally vilified her. It is therefore bizarre that she demands that the newspaper should carry an entire column by her which is anti GM and not dealing with her grievance of the single sentence against her. He has stated that the complainant cannot dictate editorial content of the newspaper. If she wanted to respond, she was welcome to write a Letter to Editor. She has chosen not

to write a letter to editor. He has further stated that the complainant's views were already incorporated in the impugned column. He has also stated that the language of the complaint as well as the counter arguments themselves show intemperate language and pressure tactics.

A copy of the same was forwarded to the complainant on 10.8.2017 for information.

Report of the Inquiry Committee

Following adjournments dated 14.3.2017 and 13.7.2017, the matter came up for final hearing before the Inquiry Committee on 19.9.2017 at New Delhi. Ms. Neha Saigal, Consultant, appeared for the complainant and Mr. Abhijeet Negi, Advocate appeared for the respondent.

The Inquiry Committee heard the representative of the complainant and Mr. Abhijeet Negi, counsel for the respondent. Mr. Negi states that the respondent shall publish the corrigendum with the same prominence admitting the mistake specially the description of the complainant in the news headline. The Inquiry Committee directs such corrigendum be published within 4 weeks and a copy of the same be forwarded to the Secretariat of the Council and to the complainant. With the aforesaid directions, the Inquiry Committee recommends to the Council to dispose 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 complaint with aforesaid directions to the respondent paper.

Press Council of India

Sl.No. 4

File No.14/24/17-18-PCI.

Complainant

The Ministry of Information &
Broadcasting,
New Delhi

Respondents

The Editor,
Dainik Jagran,
New Delhi.

Adjudication

Dated 9.10.2017

The Government of India through the Ministry of I&B vide letter dated 30.03.2017 forwarded Secretary I&B's note dated 22.03.2017 on the Paid News disclaimer in full cover page article published in the Dainik Jagran on 15.03.2017 on "Arabol Lubricants". He has stated that the structure, font set etc. of the page is exactly similar to that of regular front page features run by the newspaper, which is a clear case of advertisement disguised as news and there is no disclaimer anywhere on the page so as to indicate that it is an advertisement. The newspaper has an obligation to disclose such advertisement but they practice such tactic to draw more attention and make them more credible to the readers. The Ministry informed that the Standing Committee on IT which submitted its report to the Parliament in 2013 also included advertisement camouflaged as news in the category of paid news. Such cases therefore can explicitly be considered corporate sponsored news brought out by the newspaper with culpable intention to mislead ingenuous readers and for making a fast buck. He has requested the Council to take necessary action against the respondent.

Show Cause Notice was issued to the respondent editor, Dainik Jagran on 11.05.2017.

Written Statement

In response to the Council's Show Cause Notice dated 11.05.2017 the Chief General manager of the Dainik Jagran respondent vide his written statement dated 24.07.2017 submitted that the aforesaid advertisement was published as an advertisement by adding one extra page with the newspaper however, inadvertently the word 'advt.' was not quoted by the concerned designer who composed the aforesaid advertisement for publication. He has further stated that he has taken action against the said mistake and warned the concerned designer for future and tenders unconditional apology for the aforesaid mistake, which was un-intentional and inadvertent and assured that no such mistake would happen in the future. He has further submitted that they have highest respect for the law of the land and they never published the paid

news. He has submitted that the impugned article/item was not a news item and the same was an advertisement in full page published on behalf of 'Arabol Lubricants' and the said page was an additional page added wherein except the advertisement of 'Arabol Lubricants' no news was published. He has also submitted that the impugned article was pure advertisement and the same was distinguished from the news articles for the reasons that the whole page was dedicated to the advertisement and none of the news article was published on the said page. He has requested that no further action may be taken and the complaint may be dismissed

A copy of the Written Statement was forwarded to the Ministry of Information & Broadcasting on 14.08.2017 for information/counter comments, if any.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.09.2017 at New Delhi. The Ministry was represented by Shri Imran Farid, U.S., Information & Broadcasting Ministry whereas Shri R. Dubey, Manager, Shri B.K. Mishra and Ms. Poonam Atey, Advocates represented the respondent.

It is the allegation of the complainant that the respondent newspaper has published the advertisement disguised as news item. The respondent in the reply has admitted that it is an advertisement and had published the same by mistake. The Inquiry Committee has considered the plea of the respondent and is of the opinion that the plea of mistake has been projected just to avoid adverse orders which may be passed in the case. The Inquiry Committee has perused the advertisement and notes that front page carrying the impugned material had the complete appearance of the normal front page with the mast- head carrying the title and other relevant details and promotional material of the company 'Arabol Lubricants' presented as newspaper on the entire page. The Inquiry Committee is therefore of the opinion that it is a deliberate and calculated attempt on part of the respondent newspaper to pass of an advertisement as news. The Inquiry Committee cannot ignore the blatant violation of a newspaper responsibility to keep news material distinct from advertisement material. The Inquiry Committee, accordingly, recommends to **censure** the respondent newspaper.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to **Censure** the respondent newspaper, Dainik Jagran. A copy of this order be forwarded to the Director General, DAVP, Director, Information and Public Relations, Government of Delhi and the District Magistrate, New Delhi for appropriate action.

Press Council of India

Sl. No. 5

File No. 14/546/16-17-PCI

Complainant

Shri Pankaj K. Gupta,
Deputy registrar, DDE,
Kurukshetra University,
Haryana.

Vs.

Respondent

The Editor,
The Tribune,
Chnadigarh.

ADIUDICATION

Dated: 09.10.2017

This complaint dated 21.02.2017 has been filed by Shri Pankaj K. Gupta, Deputy Registrar, DDE against the Editor, The Tribune for allegedly publishing defamatory news in its edition dated 17.02.2017 under the caption “**KU official indicted for ‘abuse of power’**”.

It is reported in the impugned news item that an inquiry Committee constituted by Kurukshetra University has indicted senior functionary Pankaj K. Gupta for alleged abuse of his office. Following allegations of official misconduct, he was removed as Controller of examination (CoE) in September last. It is further reported that Gupta was appointed Officer on Special Duty (OSD) to former Vice-Chancellor Hardeep Kumar, a former IAS who was recently appointed member of the Right to Service Commission. It was alleged that in 2010 Gupta got his marks unfairly re-evaluated in the postgraduate diploma in computer application (PGDCA) course during his tenure as Deputy Registrar (DR) in the re-evaluation branch. Another allegation against him is that his marks were increased from 20 to 64 in paper no. 11. Similarly, after re-evaluation in paper No. 13, his marks changed from 15 to 52. Both papers were of 100 marks. Gupta has been claiming innocence in the case. However, sources said that the Committee had raised serious questions on Gupta’s official conduct. Further, the then CoE had directed that papers relating to Gupta who was in the re-evaluation branch, should be dealt directly with him (CoE). But Gupta ignored the official order, says the report. It is also reported in the said news item that Dr. VS Poonia, Lecturer in the department of Commerce had lodged a complaint, at CM Window against Gupta and the university administration was directed to initiate an in-house inquiry into the allegations.

Denying the allegation levelled in the impugned news item, the complainant stated that the article is totally false, fabricated, concocted and defamatory. He has submitted that the article containing false, baseless and concocted facts and some unscrupulous elements trying to tarnish and disturb the smooth functioning of reputed organisation and defaming and damaging his reputation. He has further stated that the news was supposedly published on the basis of the report of the Committee headed by Dr. Shyam Kumar, Dean Faculty of Science, Kurukshetra University, Kurukshetra but surprisingly the news report itself says that it was confidential and based on confidential report, defamatory remarks were given in the news report after distortion of facts which are as follows:

News appeared	Objection	Remarks, if any
Heading of the news “ KU official indicted for ‘Abuse of Power’ ”.	Use of word “indicted” and “Abuse of Power”	<ol style="list-style-type: none"> 1. The report was confidential at the time of publication of this news item. 2. No such word “indicted” was ever used by the Committee. 3. No such word “Abuse of Power” was ever used by the Committee. <p>Hence wrong news with bad intention by the reporter.</p>
....An inquiry Committee constituted by Kurukshetra University.....	The use of word “Inquiry Committee”	<p>If it was an inquiry Committee, than the Committee must had given him the “opportunity of hearing” but he was never heard by the Committee despite my written request to the Vice Chancellor.</p> <p>Hence wrong news (one-sided) by the reporter to defame my image.</p>
....indicted senior functionary Pankaj K. Gupta for alleged abuse of his office....	News given in person by specifying the name “Pankaj K. Gupta”. Further use of word “indicted” and “Abuse of Power”	<p>No action has been taken by the University so far and also the report was confidential, but the reporter violated the press ethics by giving the news in person (by name) and the news report proved me guilty by using the word “Indicted” and “Abuse of his office”.</p>
Gupta has been claiming innocence in the case	Though the news was in name but no version was ever taken from me.	<p>his version has never been taken by the reporter before publication of this news and hence my version was given by him at this own level.</p>
Following allegations of official misconduct, he was removed as Controller of Examination (CoE) in September last.	Word “Removed” and “Official Misconduct”	<p>Absolutely wrong. (1) There were only allegations and not proved as yet. (2) No such word of “Misconduct” is recorded in the official files. It was a routine transfer which took place in September 2016 but using the word “Removal” and “Misconduct” by the reporter is against the press ethics and there are used only to make the news sensational.</p>

The complainant vide e-mail dated 21.02.2017 drew the attention of the respondent towards the article published and asked to publish a corrigendum in the main newspapers with the complete facts but received no response. He has requested the Council to take necessary action against the respondent.

A Show Cause Notice was issued to the respondent on 15.03.2017 for written statement.

Written Statement :

The respondent in his written statement dated 17.5.2017 has stated that the news report being referred to in the complaint made by Shri Pankaj k. Gupta is, in fact, a follow up of the previous news reports being covered by The Tribune on 11.06.2016 “**Panel to probe charges against KU official**” and on 02.09.2016 “**KU transfers Controller of Examinations facing probe**”. He has stated that no rejoinder had ever been received from the complainant or anyone else in regard to both these news reports. He has further stated that the complete series of three news reports makes it abundantly clear that the alleged discrepancies of the complainant were pointed out by an Associate Professor of KU namely Dr. V.S. Poonia based upon which he made a complaint to the Chief Minister of Haryana and it was only thereafter that the action was initiated by the KU authorities against the complainant. He has also stated that the first news report of 11.06.2016 very well carried the version of the complainant as well. Regarding transfer of the complainant, the second news report of the Tribune dated 02.9.2016 may be referred to wherein KU VC Prof. K.C. Sharma has been quoted to the effect that mere allegations could not be the basis of transferring Gupta from a crucial office of secrecy of examinations. The phrase ‘Gupta has been claiming innocence’ is categorically written in the said news report. Regarding the news dated 17.07.2017, he has stated that the same is based on the documents came across by the author of the report during a legitimate journalistic exercise. It has been mentioned by the complainant himself in his email dated 17.02.2017 addressed to the VC, KU that as per this notice Dr.VirenderPoonia had already uploaded the report on the facebook. In that very communication, the complainant, while quoting some instance of Dr.Hukam Singh, has himself stated, “...by looking at the details given above, the gravity of seriousness in the conduct of Dr.Hukam Singh is much higher as compared to my conduct in the case of re-evaluation....” This statement of the complainant is enough to corroborate that what The Tribune has reported in its reports was/is factually correct and as such the complaint filed before this Council is rendered baseless and misconceived.

He has stated that the allegations being levelled by the complainant against the newspaper or the author of the news report being objected to by him are without any basis and as such are liable to be rejected by the Council. He has requested that the matter may be ordered to be disposed of.

A copy of the written statement was forwarded to the complainant on 23.5.2017 for counter comments.

Counter Comments

The complainant in his counter comments dated 12.06.2017 has stated that the written statement submitted by the respondent is false, frivolous and evasive of complaint and has no merits. He alleged that none of the objection has been answered by The Tribune rather some new versions have been given just to give a twist to the original situation.

A copy of the counter comments was forwarded to the respondent on 20.06.2017 for information.

Further communication of the complainant

The complainant vide another communication dated 19.9.2017 submitted that the respondent newspaper has reported the impugned news in totally unprofessional way just to malign his image in the eyes of the general public and it was totally one sided news which was detrimental to his career and reputation and requested that appropriate action may be taken against the respondent as the news was published with malafide intention.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 19.09.2017 at New Delhi. The complainant appeared in person whereas Shri Amit Sharma, Head-Legal & Administration represented the respondent.

The Inquiry Committee has heard the complainant and the representative of the respondent newspaper and also perused the complaint, the written statement and other connected paper. From perusal of the impugned news item, it is evident that it is on the basis of the report given by the departmental Inquiry Committee. This Inquiry Committee thus does not find any substance in the grievance of the complaint and recommends for dismissal of the complaint.

Held

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

PRESS COUNCIL OF INDIA

Sl.No. 6

F. No. 14/584/16-17/PCI

Shri Yashwant Jain,
Member,
National Commission for Protection of Child Rights,
New Delhi.

The Editor,
Dainik Bhaskar Live Sehore,
Bhopal.M.P

Adjudication

Dated 9.10.2017

This NCPCR filed a complaint dated 31.01.2017 through its member Shri Yashwant Jain, against the Editor Dainik Bhaskar Live Sehore for allegedly revealing the identity of a sexually abused minor victim (boy) by publishing a news under the Caption: **Subah Doctor kalstifa, Dophar me C.M. se mile, shyamko Arora kekhilaf F.I.R**

It has been reported in the impugned news item that a minor boy (victim of sexual abuse) went to doctor to get his medical done on the direction of Police. The doctor did not treat him well and only after the intervention of B.J.P leader, Shri Jaispal Singh Arora, the victim was medically examined. The respondent, Dainik Bhaskar Live Sehore, in the impugned news item has revealed the identity of victim (boy) in his newspaper, inclusion of his photograph which is blatant violation of the provisions of POSCO Act, 2012 and the reporting standards of media.

No Written Statement

A Show Cause notice was issued to the respondent Editor on 11.05.2017, but no response has been received so far.

Report of the Inquiry Committee

Following an adjournment dated 13.7.2017, the matter came up for final hearing before the Inquiry Committee on 20.9.2017 at New Delhi. Neither the complainant nor the respondent has appeared for the hearing. Information given by the National Commission for protection of Child Rights has formed the basis of Suo-motu action by the Council. It has been alleged that "LiveSehore", a part of 'Dainik Bhaskar' published from Bhopal, has, in the impugned news item, revealed the identity of a sexually abused Child.

Despite service of notice respondent has neither filed any reply in defence nor has chosen to appear before the Inquiry Committee. The aforesaid act of the newspaper is not only in violation of law but also the Code of Conduct framed by the Council. The Inquiry Committee, accordingly, recommends for **censure** of newspaper, Dainik Bhaskar, Bhopal edition. A copy of this Order be communicated to the Director General, DAVP and Director, Information and Publication Relations Department Govt. of M.P., D.M, Bhopal, for appropriate action.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons findings and adopts the report of the Committee and decides to **Censure** the respondent newspaper, Dainik Bhaskar, Bhopal.

PRESS COUNCIL OF INDIA

Item No.7

F.No.14/101/17-18-PCI

Shri S.C. Tyagi,
New Delhi.

The Editor,
Times of India,
New Delhi.

Adjudication

09.10.2017

Facts:

This complaint dated 13.6.2017 has been filed by Dr. S.C. Tyagi, New Delhi against the editor, Times of India, New Delhi alleging publication of a false, fabricated and concocted story in its issue dated 2.5.2014 under the caption ***“23 year old dies as clot in leg travels to lung”***. It is reported in the impugned news item that oil massage can provide relief, but it can kill too if given to a wrong patient or in a wrong manner. Doctors of AIIMS have warned about this, following the death of a 23 year old at the hospital who was given a massage by his mother. According to the news item the victim had injured his left ankle while playing badminton last year after which a plaster of Paris slab was placed on it to immobilise the leg. This resulted in the formation of a blood clot in his deep veins. A post-mortem confirmed that the clot, which was 5x1cm in size, got dislodged from the leg veins and travelled to the pulmonary artery that supplies blood to the lungs, causing instant death. Deep vein thrombosis or presence of a blood clot in the deep vein following an ankle fracture is not uncommon but sudden death of a youth because of the complication arising from it, is rare, said Dr. Chittaranjan Behera, who conducted the post-mortem. According to the news item when the 23 year old was rushed to AIIMS Emergency on October 31 he was unconscious and unresponsive and Doctors could not revive him despite the best resuscitative efforts. It is further reported in the impugned news item that the victim's mother had given him a massage for 30 minutes and he complained of pain in the left calf, that left him breathless and he suddenly collapsed. Dr. Sudhir Gupta, Professor and head of forensic medicine at AIIMS, said the youth's death should serve as a warning against massages by amateurs “using forceful techniques and for prolonged periods in a patient with deep vein thrombosis can lead to fatal complications.

Denying the allegations levelled in the impugned news item the complainant submitted that the news item is totally false fabricated and concocted/graphic story. Dr.Chittranjan Behera (FM), AIIMS subordinate to Dr. Sudhir Gupta, HOD(FM) AIIMS (Post-mortem department) has a clutch to create illegitimate mystery/mischief that 30 minutes oil massage by mother cause dies 23 old. He has stated that it is not known how 30 minutes massage by a mother visualized at a long distance by Dr.Behera. He was also not a part of post-mortem report. Dr.Behera is part of post-mortem department but it does not mean he conducted the post mortem. He has stated that Doctors FM AIIMS managed the news to appease Dr. Manju Gupta to reduce the severity of death due to wrongly prescribing Tab Acetrom as this medicine, which dilute the blood carried the blood clot to lung resulting death of the complainant son. Further to create hindrances in the way of legitimate justice under law of land. The complainant vide letter dated 7.6.2017 drew the attention of the respondent towards the impugned news item and requested him to publish contradiction within 3 days,

but received no response. The complainant requested the Council to take action against the respondent.

A Show Cause notice was issued to the respondent editor, Times of India, New Delhi on 29.6.2017

Written statement

In response to the Council's Show Cause Notice the respondent editor vide his written statement dated 18.7.2017 denied the contents of the complaint contained in various paragraphs. The news item was published in public interest to sensitive the general public as the issue involved was related to the tragic death of a youth due to foot massage which was allegedly administered to him by his mother. He has further stated that in the article it is also mentioned that no advice was recorded in hospital by the doctors about the dangers of massage to the deceased's affected leg. According to the respondent the article was carried in good faith, for the ignorant of the discerning readers that massage, which is a common practice in our country, can be dangerous and fatal in some cases. The respondent further submitted that the article was based on the research paper titled "Leg massage by mother resulting in fatal pulmonary thromboembolism". The respondent stated that the complainant who is the maternal grand-father of the deceased youth was aggrieved with the treatment administered by the doctors and has approached police for legal action against them for medical negligence which allegedly caused the death. Hence, there is no question of highlighting the particulars of the unfortunate incident and they carried the article to educate people about the risks involved based on the case study published in the medical journal without disclosing the identity with establishes that there was no malafide intent or intention to defame the family and all the allegations in the notice under reply are denied. He has requested the Council to drop the proceedings against him.

A copy of the written statement was forwarded to the complainant on 25.7.2017 for information/counter comments, if any.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.09.2017 at New Delhi. Dr. S.C. Tyagi, the complainant appeared before the Inquiry Committee. Shri RajanVaid, AGM and Ms. Uma Lohray, A.M. appeared on behalf of respondent newspaper, the Times of India.

The Inquiry Committee has heard the complainant and representative of the respondent and is of the opinion that the respondent newspaper while publishing the impugned analytical news item has not committed breach of any journalistic ethics calling for action.

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

Held

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

Press Council of India

F.NO. 14/97/17-18-PCI

Item no. 8

Complainant	Respondent
Dr. P.K. Jain, SAG ESI Hospital, Sec-15, Rohini Delhi.	The editor Punjab Kesari Wazirpur, Ring Road, Near Wazirpur DTC Depot New Delhi-110052.

Adjudication
09/10/2017

This complaint dated 5.6.2016 has been filed by Dr. P.K. Jain, SAG, ESI Hospital, against Punjab Kesari for allegedly publishing false, fabricated and baseless news item captioned "**ESIC Ke Adhikariyon Ki Tanashahi Ke Agey Kisi ki Nahin Chaliti**", in its issue dated 26.11.2016. The complainant accuses the respondent newspaper for publishing baseless news item referring his name in the impugned news item with malafide intention of tarnishing his image.

The impugned news item outlines the irregularities prevailing in ESI. The news reports that the doctors and administration of ESIC are so powerful that they do not even follow the rules issued by the Government of India. They do what they want to do with the help of union and federation. Referring to the violation of the Govt. Orders, it reported that an employee can be allotted quarters only on the orders of the persons mentioned in the Gazette but the officials of ESIC make their own rules and regulations. In ESIC hospital, Rohini and Basaidarapur, quarters are being issued to employees in randomly. There are different rules for different employee. Dr. P.K. Jain, complainant is also the member of allotment committee.

The complainant added that vide his letter dated 4.12.2016 he has informed the editor of the respondent newspaper that he himself does not have authority to take disciplinary action or to allow promotion to any doctor or allot quarters to any employee. However, he is a member of the allotment committee for scrutinising the applications, done according to the rules and guidelines. He asked the respondent to reply to his email sent on 4.12.2016 so as to show the documents on the basis of which the news item in question has been published. The complainant did not receive any response other than an automated response from Punjab Kesari. The aggrieved has requested the Council to take strict action against the newspaper and its correspondent for publishing baseless report.

Reply Filed by the Respondent

In response to the Show Cause notice dated 29.6.2017, the respondent newspaper in its written statement dated 1.8.2017 has stated that the complainant has filed his complaint, mentioning a wrong date of complaint and the actual date is 5.6.2017 as the news item in question was published by Punjab Kesari in 26.11.2016. They have also seen the complaint and has claimed that the email does not belong to them and since the complaint was not received and has not been registered with them either online or through hard copy, acknowledging the same or responding to any such reminders is out of the question for the respondent newspaper, therefore the grudge of the complainant that the respondent newspaper did not reply is untenable and baseless. Further the respondent stated that after receipt of the Show Cause notice a clarification dated 29.07.2017 has been published by Punjab Kesari, Delhi, with a view to assuage the feelings of the complainant. In light of the clarification being published, the complainant Dr. PK Jain vide letter dated 31.7.2017 has informed the Editor of Punjab Kesari, Delhi, that he prefers to withdraw the complaint filed. In view of the complaint being withdrawn by the complainant, the respondent newspaper has requested the Council to treat the complaint as withdrawn.

The respondent vide his letter dated 15.09.2017 (filed before the Inquiry Committee on 20.09.2017) has stated that the complainant, Dr. P.K. Jain vide his letter dated 31.07.2017 subsequent to publication of a corrigendum in edition dated 29.07.2017 had withdrawn the complaint and requested to take note of the same and dismiss the complaint in the light of his letter and that of Dr. P.K. Jain.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.09.2017 at New Delhi. Shri Parvinder Sharma, Chief Sub Editor appeared on behalf of the respondent. There is no appearance on behalf of the complainant.

The complainant has filed an application inter-alia praying that he wants to withdraw the complaint and, therefore, not willing to appear in the hearing. The Inquiry Committee considered his prayer and accord permission to withdraw the case.

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

Held

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

In another impugned news item it is reported that Railway Department is waiting for medical report to come before initiating any action. It is further reported that all five accused, including complainant, are likely to be suspended from the job.

In another impugned news item, it is reported that the complainant has encroached Govt. land adjoining his house and someone known to Former Chief Minister, Shri Ashok Gehlot, helps the complainant in encroachment activities. Two notices with respect to encroachment have been issued to the complainant, but Municipal Corporation has not taken any action so far.

In one of the impugned news items it is reported that the complainant, was suspended from the Railway Department four years ago for consuming alcohol during the duty hours and further reported that one Shri Bhawani has filed a complaint against the complainant with regard to the Government land encroached by the complainant and later filed a petition in this regard in the court. The complainant was slammed by the court.

The complainant has submitted that the respondent has defamed him and his family by publishing false and baseless news. He has further stated that in 2012 a passenger filed a false case against him and four others for allegedly consumption of alcohol while on duty in which he along with others came out clear in the absence of evidence. He has submitted that the respondent, in connivance with his opponents, got the false news published in Dainik Bhaskar, Jodhpur on 8.3.2017. After his interference, they published correct version of the news on 10.3.2017. The complainant requested the Council to take necessary action against respondent newspaper.

A Show Cause notice was issued to the respondent Editor on 15.6.2017,

Written Statement

The respondent, in response to the Show Cause Notice, has submitted that the concerned reporter has published the facts based on the information received from Police, Railway and Court. The impugned news has been published also in Rajasthan Patrika and Bhaskar. He has further submitted that the publication of news is not any violence of ethics. In other newspapers, the photo of the complainant being unruly in train's coach, is also published. The respondent further requested the Council to dismiss the matter.

A copy of written statement has been forwarded to the complainant for counter comments. No response has been received so far.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.09.2017 at New Delhi. Shri Hariom Singh appeared on behalf of the complainant while Shri Jayram, Marketing Manager and Shri Rajendra Vyas represented respondent newspaper.

The Inquiry Committee has heard the complainant as also the representative of the respondent and also perused the complaint, the written statement and all other connected papers. The Inquiry Committee is of the opinion that the respondent newspaper had targeted the complainant by publishing series of news against him. Accordingly, the Inquiry Committee cautions the respondent to be careful in future.

The Inquiry Committee directs for disposal of the complaint with the aforesaid direction.

Held

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

Press Council of India

Item No. 10

File No. 14/550/16-17-PCI

Dr. Joseph Emmanuel,
Regional Director, CBSE,
Panchkula, Haryana

Vs. The editor,
Union Territory Independent,
New Delhi

Through
Advocate Rituraj Biswas,
New Delhi

Adjudication

09/10/2017

This complaint dated 21.2.2017 has been filed by Mr. Joseph Emmanuel, Regional Director, CBSE, Panchkula, Haryana through Advocate against the editor, Union Territory Independent fortnightly, New Delhi for allegedly publishing on of a series of defamatory articles since October 1-15, 2015 under the caption “*Gangster controls CBSE? Claimed exclusive*”, from November 1-15, 2015 as detailed below:

S.No.	Caption of Impugned news item	Issued Date
1.	Gangster Controls CBSE?	Oct1-15, 2015
2.	10 Cr. Students future at risk..... CBSE in mafias grip? And claimed exclusive	Nov 1-15, 2015
3.	Will Modi Free from Gangster Clutches	Nov 16-30, 2015
4.	Smriti silence on corruption? Touts control CBSE	Dec 1-15, 2015
5.	CBSE in Clutch of Dacoit Emmanuel	Dec 16-31, 2015
6.	CBSE Dacoit Emmanuel wings clipped? And claimed exclusive	Jan 1-15, 2016
7.	Rowdy rana new villain of CBSE? And claimed exclusive	Feb 1-15, 2016
8.	HRD Secretary-Brokers Nexes! Sadhana CBSE Chief?	March 16- 31, 2016
9.	PMO Kicks corrupt CBSE Secretary!	Feb 1-15, 2017
10.	Return of corrupt Emmanuel in CBSE?	February 16- 28, 2017

Series of aforementioned news item depicts the complainant as a corrupt person. It is reported in one of the impugned news items that Prime Minister Narendra Modi, after assuming office, wanted to strengthen the education system in the Country. CBSE regulates the school education in most parts of the Country and abroad is under the grip of education mafias controlled by Leprosy Mission Clerk-turned-CBSE Secretary, Joseph Emmanuel. Since Modi raised the issue of corruption in the General Elections, he was duty bound to induct only those leaders who were known to be strict and prefer to take stern action against the corrupts. No doubt, education mafias are very strong and they have their own men everywhere. It is reported in the another news item that the Joseph Emmanuel is the trusted man of former CBSE Chairman, Vinit Joshi who brought Emmanuel to the CBSE to get his work done smoothly. It is reported by the magazine that the Joseph Emmanuel, a Leprosy Mission Clerk used to visit CBSE officer to get the work done of the schools run by the missionary and Joshi was impressed with his ability to convince people. Another impugned news item claims that the complainant planted many stories in the media highlighting that RSS ideologues want to change the syllabus and the purpose behind is that to defame the HRD Ministry and then the Minister, Ms. Smriti Irani. Since Emmanuel superseded more than 10 senior officers, earned huge wealth and multiplied it in the last 15 years.

Denying the allegation levelled in the impugned news items, the complainant stated that the articles are totally false, fabricated, concocted and defamatory, were got punished by some unscrupulous elements trying to tarnish and disturb the smooth functioning of reputed organisation and defaming and damaging his reputation. The complainant vide e-mail dated 11.8.2015 drew the attention of the respondent towards the articles published in the year 2015 and sent a rejoinder for publication but received no response. He has requested the Council to take necessary action against the respondent.

A Show Cause Notice was issued to the respondent on 1.5.2017 for written statement.

Written Statement

The respondent in his written statement dated 27.5.2017 has stated that all these allegations are under inquiry by CBSE vigilance as well as CBI. He has further stated that the CBI had registered one more FIR last week for hiring security equipment for NEET examination causing huge loss to CBSE when Mr. Joseph was Secretary. Furious with this report, the complainant choose to hide behind the armour of defamation suit. He informed that the complainant had filed one defamation suit in Karkadooma Court on same facts and it is pending there. He has submitted that because of various allegations, CBSE had opted to transfer the complainant to Panchkula without giving extension or not even promotion as Director. He has stated that the allegations raised by the complainant are false and need to dismiss at cost.

A copy of the same was forwarded to the complainant on 13.7.2017 for information/counter comments, if any.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 20.09.2017 at New Delhi. Shri Rituraj Biswas, Advocate appeared on behalf of the complainant while Shri Thomas Joseph, Advocate represented respondent newspaper.

It is an admitted position that the complainant has filed a criminal defamation case against the respondent in respect of some of the stories against which the present complaint has been filed.

In view of the fact that the complainant has resorted to a proceedings in a criminal court, the Inquiry Committee is not inclined to proceed in the matter any further.

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

Held

The Press Council on consideration of 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. 11

F.No. 14/382/16-17-PCI

Complainant

Respondent

Shri Karan Singh Rana
S/o-Jai Singh Rana
Kurukshetra, Haryana

The Editor,
Dainik Jagran,
Haryana

ADJUDICATION

Dated: 09.10.2017

This complaint dated 28.9.2016 has been filed by Shri Karan Singh Rana, S/o Shri Jai Singh Rana, Kurukshetra, against the editor, Dainik Jagran, Panipat, Haryana alleging publication of defamatory news item in its issue dated 26.08.2016 captioned “*Chacha se tangaa kar yuvak ne nigla zehrila padarth*”. The impugned news reports that a young man consumed poison for being continuously harassed by his uncle due to property dispute. The victim was hospitalized and victim is now out of danger. A police case has been filed.” The complainant alleges that the news item is baseless and defamatory which has been published to harm the reputation and dignity of the complainant and his family and to mar his career and humiliate him. He added that alleged impugned news item does not have any documentary evidence and is untrue.

The complainant further states that no clarification has been published till date by the respondent newspaper and had pleaded the Council to summon/inquire the respondent newspaper about the matter and they be punished in accordance with law, in the interest of justice.

Written statement

A Show Cause Notice dated 22.2.2017 was issued to the respondent newspaper and an undated written statement has been submitted which states that alleged impugned news item was published in good faith only after receiving information from a crime reporter of Dainik Jagran who was informed about the incident by the complainant’s family members that due to the misbehaviour of his Uncle (Mr. Karan Singh Rana), Sanjay Rana Son of Agrej Singh consumed pesticides on 25.08.2016, though Dainik Jagran tried to verify the matter from Mr. Karan Singh Rana but he was not available that time. However the incident was verified by Mr. Sanjay Singh Rana who gave his statement. The respondent newspaper has pleaded the Council to withdraw the matter

A copy of the written statement was forwarded to the complainant on 1.5.2017 for counter comments.

Counter comments

Shri Rishi Pal Singh, advocate on behalf of the complainant vide counter comments dated 24.5.2017 has filed point wise statements and vakalatnama. He alleged that the news item contains false, frivolous, derogatory, misconceived, malicious and reckless defamatory allegations which are far from truth and are published without due care and caution. He has stated that the respondent created a false defamatory news item and used the platform of newspaper for personal use to take revenge of the political activity in his village. The acts of the concerned reporters are against the standards of journalistic ethic. He stated that it is wrong to say that this incident was verified by Mr. Sanjay Singh Rana himself by giving any statement which is also not placed on record by the respondents.

A copy of the counter comments forwarded to the respondent on 2.6.2017 for information.

Recommendation of the Inquiry Committee

Following adjournment dated 19.06.2017 when the respondent was directed to substantiate then averment with documentary evidence, the matter came up for final hearing before the Inquiry Committee on 03.10.2017 at New Delhi. Shri Rishipal Singh and Shri A.C.Boxipatro, Advocates represented the complainant side whereas Shri Birendra K Mishra, Ms. Poonam Atey, Advocates represented the respondent side.

The complainant is aggrieved by a news item published in the respondent's newspaper in which it is stated that his nephew has taken poisonous substance because of the dispute with the Uncle. Uncle is the complainant in the present case and it is his assertion the said news is untrue. When the Inquiry Committee took up the matter on 19th of June, 2017, the counsel for the respondent newspaper stated that it was on the basis of the information given by the nephew himself on affidavit that the said news was published. The Inquiry Committee directed the respondent to produce the Original Affidavit sworn by the said nephew. The respondent purportedly has produced the said affidavit affirming the contents of the impugned report. The alleged affidavit is not affidavit in the eyes of law and in fact, not sworn before any appropriate authority. The Inquiry Committee is distressed to note that the counsel who had appeared on behalf of the respondent newspaper in the habit of making casual statements. The Inquiry Committee disapproves the conduct of the counsel.

It, however, appears that the impugned news item had been published on the basis of the information given by the nephew and the complainant. In that view of the matter, the Inquiry Committee is not inclined to proceed any further against the newspaper but record our disapproval to the manner in which the proceeding are taken by the respondent.

Held

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

PRESS COUNCIL OF INDIA

Sl.No. 12

F.No.14/557/16-17-PCI

<u>Complainant</u>	<u>Respondent</u>
Shri Gopalan Anish Acharya, New Delhi.	The Editor, India Today, New Delhi.

DRAFT ADJUDICATION

Dated: 09.10.2017

This complaint dated 17.2.2017 has been filed by Shri Gopalan Anish Acharya, New Delhi against the editor, India Today, New Delhi alleging publication of a news item in its issue dated 2.12.2016 under the caption "Man held for duping medical aspirants". It is reported in the impugned news item that a 40 year old man, wanted by Chhattisgarh police for allegedly duping medical aspirants on the pretext of sending them to Kyrgyzstan, has been arrested by police namely, Shri Gopalan Anish Acharya, a resident of Dwarka locality in the national capital, was arrested by the Delhi Police Crime Branch. It is further reported in the impugned news item that Acharya had allegedly floated an educational society in the name of Luxmi Narain Education Consultancy, located at Pushtak Road in Mohan Nagar Durg in Chattisgarh, along with three others. They used to charge lakhs of rupees for facilitating admission of medical aspirants in MBBS course in Kyrgyzstan, Uzbekistan and Kazakhstan and they had allegedly duped eight medical aspirants of Rs. 18 lakh each. It is also reported in the impugned news item that Dr. Premlal Baghel, whose son was duped of Rs.18 lakh, approached Chhattisgarh police with a complaint, following which the police sought help from Delhi Police and it was found that Acharya, who is a resident of Dwarka, was hiding here and was arrested. He himself an MCA graduate from Kyrgyzstan. Two other accused, identified as Vaishno and Arvind Ghosh, have earlier been arrested by Chhattisgarh police.

Denying the allegations levelled in the impugned news item the complainant stated that he is running an educational consultancy in the name and style of M/s Midlink Education Development Organization Private Limited and accordingly have tie-ups with various foreign universities and working for them and deals in getting the aspiring students admitted only in foreign universities to study medicine. The complainant submitted that the respondent published in their daily and their online news/media portal/website without making any pre-publication verification and also published his photograph without his consent and projected him like a racketeer and involved in the practice of cheating people by promising them medical seats in Universities/Colleges. The complainant stated that it is primary duty of the respondent to confirm the news with supporting documents before publishing the same. The complainant vide legal notice dated 28.12.2016 drew the attention of the respondent towards the impugned publication and requested him to withdraw the false and fake news from their media portal with immediate effect and publish apology on the same page/portal with respect to the same, but received no response.

A Show Cause Notice was issued to the respondent editor, India Today on 10.4.2017.

Written Statement

In response to the Council's Show Cause Notice dated 10.4.2017 the respondent Group Chief Corporate Affairs Officer and Group Chief Law & Compliance Officer, India Today group vide written statement dated 5.5.2017 submitted that the impugned article appeared on the online news/media portal and the article was not published in a newspaper i.e. print media. The respondent submitted that the police authorities issued a Press Release. This feed was wired by the Press Trust of India to the newspapers/magazines and the same was published unedited and unformatted on the website. So it is denied that they published the impugned article without making any pre-publication verification. The respondent further submitted that publishing a Press Release of law enforcement agencies is not illegal or unlawful. The impugned article was not based on any FIR as alleged by the complainant. He has also submitted that they are neither defaming complainant nor misleading the general public. The news was in public interest and they published it for awareness. The respondent requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 12.5.2017 for information/counter comments.

Recommendation of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 03.10.2017 at New Delhi. Shri A.C.Boxipatro, Advocate represented for the complainant whereas Ms. Nisha Bham Bhani and Dr. Puneet Jain , Group Chief Corporate Affairs Officer & Group Chief Law & compliance Officer represented for the respondent paper.

The complainant is aggrieved by publication of a news item in which it has been stated that he has been arrested in a case concerning duping students for admission in MBBS course in various foreign countries. It is the plea of the complainant that his arrest is illegal and allegation made against him is false and concocted. The Inquiry Committee is afraid, that the truthfulness or otherwise of the allegation is not for the newspaper to decide. The Inquiry Committee has perused records and finds that there is a FIR and various whats-up messages given by the Police which have formed basis of impugned news items. It is also an admitted position that impugned news has not been published in the print edition. For all these reasons the Inquiry Committee is of the opinion, no action is to be taken against respondents. The Inquiry Committee accordingly, recommends for dismissal of the complaint.

Held

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

PRESS COUNCIL OF INDIA

Sl.No. 13

F.No.14/558/16-17-PCI

<u>Complainant</u>	<u>Respondent</u>
Shri Gopalan Anish Acharya, New Delhi.	The Editor, The Times of India, New Delhi.

ADJUDICATION

Dated: 09.10.2017

This complaint dated 17.2.2017 has been filed by Shri Gopalan Anish Acharya, New Delhi against the editor, Times of India, New Delhi for allegedly publication of a news item in its issue dated 2.12.2016 under the caption “Man held for duping medical aspirants” with sub-caption ‘Promised Seats in Central Asian Varsities’. It is reported in the impugned news item that the Crime Branch of Delhi Police has arrested a man for his involvement in a racket that had duped several students of huge sums for admitting them to medical course in central Asian countries. The man behind the scam charged hefty amounts for enrolling the victims in lucrative course in institutions abroad. The news item reported that the accused Gopalan Anish Acharya, the third in a trio of racketeers, operated out of an apartment in Dwarka. The two others had been arrested earlier and a case of cheating under Section 420 of the Indian Penal Code registered against them at Durg in Chhattisgarh. It is further reported in the impugned news item that when the police questions Acharya, he revealed that he was a resident of Kerala and had completed his master’s degree in computer applications from a college in Kyrgyzstan when he could not land a job on his return to India, he decided to collude with other two in setting up a foreign education consultancy agency called Luxmi Narain Educations in Durg. It is also reported in the impugned news item that Acharya admitted that he had alone sent eight students from Delhi to Kyrgyzstan, Kazakhstan and Uzbekistan, each of who paid Rs.18 lakh.

Denying the allegations levelled in the impugned news item the complainant stated that he is running an educational consultancy in the name and style of M/s Midlink Education Development Organization Private Limited and accordingly have tie-ups with various foreign universities and deals in facilitating admission of the aspiring students in foreign universities to study medicine. The complainant submitted that the respondent published impugned news in their daily (print Media) and their on line news/media portal/website without making any pre-publication verification and also published his photograph without his consent and projected him like a racketeer involved in the practice of cheating people by promising them medical seats in Universities/Colleges. The complainant further submitted that it is a primary duty to confirm the news first with supporting documents before publishing the same. The complainant vide legal notice dated 28.12.2016 drew the attention of the respondent towards the impugned publication and requested him to withdraw the false a fake news from their media portal with immediate effect and publish apology on the same prominence.

In response to the legal notice the respondent vide letter dated 17.1.2017 replied that the news was generic in nature and was published in a fair, unbiased, sober manner in the public interest and was not intended to defame or malign any particular individual. He has stated that the news item was written and published based on a communication sent to them by Joint Commissioner of Police, Crime, New Delhi and Superintendent of Police, District-Durg, Chhattisgarh It was based on material and documentary evidence collected and available with them. The respondent further stated that the news item was published merely

as per of the reportage and there was no intention to tarnish the image of the complainant and the said news was published in good faith and there was no malice in effecting such publication. He has also stated that there was no ulterior motive or intention to mislead the general public.

The complainant submitted that he respondent in his reply asked him to provide the relevant details/documents and further offered to publish the same for the sake brining the truth to public at large, but they never asked any such questions before publishing the impugned news which is mandatory.

No Written Statement.

A show Cause Notice was issued to the respondent editor, Times of India on 10.4.2017, but no response has been received so far.

Recommendation of the Inquiry Committee

Following adjournment dated 19.06.2017, the matter came up for final hearing before the Inquiry Committee on 03.10.2017 at New Delhi. Shri A.C.Boxipatro, Advocate appeared for the complainant and Shri Rajan Vaid and Ms. Uma Lohray appeared for the respondent.

The complainant is aggrieved by release of a news item by PTI and published by several newspapers in which it has been stated that he has been arrested in a case concerning duping students for admission in MBBS course in various foreign countries. It is the plea of the complainant that his arrest is illegal and allegation made against him is false and concocted. The Inquiry Committee is afraid, that the truthfulness or otherwise of the allegation is not for the newspaper to decide. The Inquiry Committee has perused records and finds that there is a FIR and various whats-app messages given by the Police which have formed basis of impugned news items. In one of the cases, it is admitted position that impugned news has not been published in the print edition. For all these reasons the Inquiry Committee is of the opinion, no action is to be taken against respondents. The Inquiry Committee accordingly, recommends for dismissal of the complaint.

Held

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

PRESS COUNCIL OF INDIA

Sl.No. 14

F.No.14/559/16-17-PCI

<u>Complainant</u>	<u>Respondent</u>
Shri Gopalan Anish Acharya, New Delhi.	The Editor, Press Trust of India, New Delhi.

ADJUDICATION
Dated: 09.10.2017

This complaint dated 17.2.2017 has been filed by Shri Gopalan Anish Acharya, New Delhi against the editor, Press Trust of India, New Delhi for allegedly releasing news feeds on 1.12.2016 to different newspapers and media agencies. According to the complainant the respondent released the news which tarnishes his image in the society, family and friends and the news item projected him like a racketeer and involved in the practice of cheating people by promising them medical seats in Universities/Colleges in other newspapers as well as media portals. The complainant further stated that it is the primary duty of the respondent to confirm the news first with supporting documents before releasing it to Press media.

Denying the allegations levelled in the impugned news item, the complainant stated that he is running an educational consultancy in the name and style of M/s Midlink Education Development Organization Private Limited and accordingly have tie-ups with various foreign universities and working for them and deals in getting the aspiring students admitted only in foreign universities to study medicine. The complainant submitted that the respondent released for (print Media) and put their online news/media portal/website the impugned material without making any pre-publication verification and also published his photograph without his consent. The complainant vide legal notice dated 28.12.2016 drew the attention of the respondent towards the impugned publication and requested him to withdraw the false and fake news from their media portal with immediate effect and issue an apology for publication on the same prominence.

Replying to the legal notice issued by the complainant, the respondent vide letter dated 20.1.2017 denied the allegations of the complainant. PTI asserted that their report does not make any imputations on the complainant in any manner. He also stated that they are ready to publish the rebuttal of the complainant on the allegations made against him and when submitted before an appropriate authority.

The complainant stated that the respondent in his reply stated that when the complainant presents his case before the Court of Law and he shall provide the relevant details/documents/information the same will be published, but they never asked any such questions before publishing the impugned news with is mandatory.

Written Statement

A Show Cause Notice was issued to the respondent editor, Press Trust of India on 10.4.2017. In response to that the Executive Editor, PTI vide letter dated 26.4.2017 submitted that they released a news story dated 2.12.2016 which was available to its subscribers and was based on the information given by Delhi Police. The respondent stated that they have not

released any photograph of the complainant as has been falsely alleged in the complaint relating to the story released by it on 2.12.2016. The respondent further stated that the story released by them everywhere quoting information was provided by the Delhi Police Crime Branch and its officers and they used the information received from the police to circulate the story and their report does not make any imputations on the complainant in any manner whatsoever. He has stated that the impugned news story was a fair comment on the police investigations based on judicial proceedings and was a matter of public interest and there was no ulterior motive on their part to injure the reputation of the complainant.

A copy of the written statement was forwarded to the complainant on 1.5.2017 for information/counter comments, if any.

Recommendation of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 03.10.2017 at New Delhi following adjournment dated 19.06.2017. Shri A.C.Boxipatro, Advocate for the complainant and Ms. Seema Neb, Advocate, PTI represented the respondent.

The complainant is aggrieved by release of a news item by PTI and published by several newspapers in which it has been stated that he has been arrested in a case concerning duping students for admission in MBBS course in various foreign countries. It is the plea of the complainant that his arrest is illegal and allegation made against him is false and concocted. The Inquiry Committee is afraid, that the truthfulness or otherwise of the allegation is not for the agency to decide. The Inquiry Committee has perused records and finds that there is a FIR and various whats-app messages given by the Police which have formed basis of impugned news items. In one of the linked cases, it is admitted position that impugned news has not been published in the print edition. For all these reasons the Inquiry Committee is of the opinion, no action is to be taken against respondents. The Inquiry Committee accordingly, recommends for dismissal of the complaint.

Held

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

PRESS COUNCIL OF INDIA

Sl.No. 15

F.No.14/560/16-17-PCI

<u>Complainant</u>	<u>Respondent</u>
Shri Gopalan Anish Acharya, New Delhi.	The Editor, The Hindu, New Delhi.

ADIUDICATION

Dated: 09.10.2017

This complaint dated 17.2.2017 has been filed by Shri Gopalan Anish Acharya, New Delhi against the editor, The Hindu, New Delhi alleging publication of false and defamatory news item in its issue dated 2.12.2016 under the caption “Man held for cheating”. It is reported in the impugned news item that the crime Branch of Delhi Police have arrested a 40 year old man for allegedly cheating people in Chhattisgarh on the pretext of providing them admission in medical courses in Central Asian Countries. It is reported in the impugned news item that the accused, Gopalan Anish Acharya, who hails from Kerala, is said to be the head of a gang of four that allegedly duped people by charging lakh in the name of providing medical seats in countries like Kyrgyzstan, Kazakhstan and Uzbekistan, and then going incommunicado. It is further reported in the impugned news item that four complainants have come forward so far, alleging that they were duped of Rs.18 lakh each and all are belongs to Chhattisgarh’s Durg District. Durg Superintendent of Police Amresh Mishra told that Gopalan and his accomplices had cheated people from 2006 to 2013, and that the overall numbers could be much higher.

Denying the allegations levelled in the impugned news item the complainant stated that he is running an educational consultancy in the name and style of M/s Midlink Education Development Organization Private Limited and accordingly have tie-ups with various foreign universities and facilitates admissions of the aspiring student in foreign universities to study medicine. The complainant submitted that the respondent published in their daily (print Media) and their on line news/media portal/website without making any pre-publication verification and also published his photograph without his consent and projected him like a racketeer and involved in the practice of cheating people by promising them medical seats in Universities/colleges. The complainant further submitted that it is a primary duty to confirm the news first with supporting documents before publishing the same. The complainant vide legal notice dated 28.12.2016 drew the attention of the respondent towards the impugned publication and requested him to withdraw the false an fake news from their media portal with immediate effect and publish apology on the same prominence.

In response to the legal notice the respondent vide letter dated 6.1.2017 replied that the news was generic in nature and was published in a fair, unbiased, sober manner in the public interest and was not intended to defame or malign any particular individual. He has stated that the news item was written and published on the basis of a communication sent to them by Joint Commissioner of Police, Crime, New Delhi and Superintendent of Police, District-Durg, Chhattisgarh and news item was published based on material and documentary evidence collected and available with them. The respondent further stated that the news item was published merely as per of the reportage and there was no intention to tarnish the image of the complainant and the said news was published in good faith and there was no malice in effecting such publication. He has also stated that there was no ulterior motive or intention to mislead the general public.

The complainant submitted that he respondent in his reply asked him to provide the relevant details/documents and further states to publish the same for the sake bringing the truth to public at large, but they never asked any such questions before publishing the impugned news which is mandatory.

Written Statement

A show Cause Notice was issued to the respondent editor, Times of India on 10.4.2017. In response to Show Cause Notice, the respondent vide letter dated 24.5.2017 has filed the Written Statement wherein he has submitted that the impugned report is based on facts and information sourced by the Staff Reporter of the Hindu was from the Crime Branch Whatsapp forum releases. The contents of the report was also duly corroborated and authenticated by Mr. Ravindra Yadav, Joint Commissioner of Police, Crime, Delhi, and Mr. Amresh Mishra, Superintendent of Police, P.O. Durg, Chhattisgarh, separately. The respondent editor has further submitted that without prejudice to the above contention, they (respondent) are ready to publish the clarification on the contents of impugned item in a suitable form in order to give a quietus to the matter. Further, in view of the circumstances he has requested the Council to dismiss the matter.

Recommendation of the Inquiry Committee

Following an adjournment dated 19.06.2017, the matter came up for final hearing before the Inquiry Committee on 03.10.2017 at New Delhi. The complainant has not appeared whereas Shri S.Ramanvjam, The Hindu represented the respondent.

The complainant is aggrieved by spreading of news item by PTI and published by several newspaperin which it has been stated that he has been arrested in a case concerning duping students for admission in MBBS course in various foreign countries. It is the plea of the complainant that his arrest is illegal and allegation made against him is false and concocted. The Inquiry Committee is afraid, the truthfulness or otherwise of the allegation is not for the agency to decide. The Inquiry Committee has perused records and finds that there is a FIR and various whats-up messages given by the Police which have formed basis of impugned news items. In one of the linked cases, it is admitted position that impugned news has not been published in the print edition. For all these reasons the Inquiry Committee is of the opinion, no action is to be taken against respondents. The Inquiry Committee accordingly, recommends for dismissal of the complaint.

Held

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

Press Council of India

Sl.No. 16

File No. 14/284/16-17-PCI

The District Collector,
Samaharanalay,
Aurangabad, Bihar.

Versus

The Editor,
Aaj, Patna,
Bihar

ADJUDICATION

Dated: 09.10.2017

This complaint dated 30.08.2016 has been filed by the District Collector, Samaharanalay, Aurangabad against the Editor, Aaj, Patna, Bihar alleging publication of news item captioned “डडडडड डड डडडडडडड डड डडडड” in its edition dated 10.08.2016.

It is reported in the impugned news item that District Supply Department does not hear the matter in the District Magistrate court. In order to free the license holders of the public distribution systems from the charges, the District Supply Officer presents the file to the District Officer after hearing both the parties thereafter the District officer passes all the orders. It is further reported that charge of Additional Collector to the District Supply Officer in the presence of Deputy Assistant Commissioner, has already been the subject of discussion. It is also reported in the impugned news item that the District Magistrate is very pleased with District Supply Officer.

Denying the allegations levelled in the impugned news item the complainant has stated that such allegation on District Magistrate’s Court is its disrespect. He has further asked the respondent to produce evidence w.r.t. the allegations levelled that District Supply Officer presents the file to the District Officer after hearing the debate of the parties and district officer without hearing the parties renders decisions.

He has further objected to phrases used such as “ऐऐऐ ऐऐऐऐऐ ऐऐऐऐऐऐ” and “ऐऐऐ ऐऐ ऐऐऐ ऐऐ” that the same come under ‘gossips’. The complainant vide Notice dated 12.08.2016 has drawn attention of the respondent towards impugned news item but no response has so far been received. The complainant has requested the Council to take necessary action against the respondent.

A Show Cause Notice was issued to the respondent on 25.01.2017 for written statement but no Written Statement has been filed.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 03.10.2017 at New Delhi. There was no appearance on behalf of the complainant and the respondent side.

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

Held

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

Press Council of India

Sl.No. 17

File No. 14/507/16-17-PCI

Prof. S. Krishnaiah,
Registrar,
Jawaharlal Nehru Technological
University, Anantapur,
Ananthapuramu – 515002,
Andhra Pradesh.

Vs.

The Editor,
Sakshi,
Telugu Daily,
Hyderabad.

ADJUDICATION

Dated: 09.10.2017

This undated complaint has been filed by Prof. S. Krishnaiah, Registrar, Jawaharlal Nehru Technological University, Anantapur against the Editor, Sakshi, Telugu Daily, Hyderabad alleging publication of a false and misleading news item with malafide intention under the caption “*DEEPAM UNDAGANE ILLU CHAKKABETTUKOVALANI*” in its issue dated 24.01.2017. The complainant stated that the whole news item appears as a conspiracy to damage the image of University and its officials and appears as a “Paid News item”.

It is reported in the impugned news item that the advertisement calling EOI from State, Central Government agencies and Statutory Bodies is not widely published. It has further reported that University gave wrong information to Mr. Ramanjaneylu under RTI. Quoting the name of Principal Secretary Higher Education, Ms. Sumita Dawra, it has published that she has as abused University authorities in the Executive Council meeting recently held on 17.12.2016 for showing Rs. 25.00 Crores instead of 74.32 Crores.

The complainant vide Notice dated 24.01.2017 explained the fact and requested the respondent to publish the rejoinder but received no response the respondent refused to accept the Notice. The complainant has requested the Council to take necessary action against the respondent.

A Show Cause Notice was issued to the respondent on 27.04.2017 for written statement.

Written Statement

The respondent in his Written Statement dated 15.05.2017 has stated that prima-facie the present complaint/petition under the provisions of the Act is not maintainable for lack of cause action and as the same is devoid of merits. He has further stated that even according to the petitioner the publication of the news item dated 24.01.2017 in the respondent’s publication is based upon the information available in the public domain and one of the complainants named, Prof. Sri. Krishnaiah has disclosed the said information to the media. The allegation that the whole news item appears as a conspiracy to damage the image of the University and its officials and it appears as a “Paid News item” are false and the same are denied. He has also stated that the news was published as per the material obtained through RTI Act. The news item w.r.t. the tender i.e., process for construction of buildings worth of Rs. 74.32 and as the huge public money is involved respondent’s newspaper was duty bound to bring the facts for public good. He has requested the Council to reject the complaint.

A copy of the written statement was forwarded to the complainant on 25.05.2017 for counter comments.

Recommendation of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 03.10.2017 at New Delhi. The complainant was not appeared whereas Shri G.Krishne Mohan Rao, Political Editor appeared on behalf of the respondent.

Despite service of notice, the complainant has not chosen to appear. The respondent is represented by its political editor, Sakshi, Telugu Daily. The Inquiry Committee has perused the complaint, the written statement and other connected papers and finds no substance in the grievance of the complainant. The Inquiry Committee, accordingly, recommends for dismissal of the complaint.

Held

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

PRESS COUNCIL OF INDIA

Item No.18

F.No.14/469/16-17-PCI

Shri Y.V.V.J. Rajsekhar,
Director(Estate),
New Delhi Municipal Council,
New Delhi.

The Editor,
Indraprastha News Reporter,
Delhi.

Adjudication **Dated 09.10.2017**

This complaint has been filed by S/Shri Y.V.V.J Rajsekhar, Director(Estate), NDMC and N.L. Chawla, Jt. Director(Enf.), NDMC, New Delhi against the editor, Indraprastha News, Delhi for publication of news items under the captions **“Palika par patri bhi, saath mein dukan bhi”** and **“Apne pad ka kar rahi hai jamkar durpyogi! Ek naari NDMC par bhari”**. It is reported in the first impugned news item that no matter how much the Enforcement Department of NDMC pretend to take away the illegal squatters/vendors. The collection is continued by the Inspectors. However, the Inspectors get a little amount of collection and most of the amount is distributed among the officers. It is further reported that Shri Chandermohan, who is squatting in between gate No. 3&4, Palika Bazar, is also having a shop allotted in his name in NDMC area. He is earning quite big amount towards rent in respect of his squatting site. Similarly, Many others have the same positions.

In Another Impugned news item is reported that according to the sources, the Estate Department of NDMC had sealed “ Sandoz Hotel” in Gole Market for violating building laws and later on the said hotel had to be de-sealed on the intervention of BJP leader. It is further reported in the news item that de-sealing of hotel after paying of Rs. 45 lakhs by the owner has become the topic of discussion. The News item reports that the Director (Estate), while moving the file for de-sealing, has mentioned that the Members of the Council had put pressure in the Council meeting that all the staff who have sealed the hotel may be suspended and due to this very reason, the Director who gave all the logics for sealing the hotel, had to reopen the same by mentioning wrong facts on the file.

Denying the allegations leveled in the impugned news items the complainants submitted that the news article are highly defamatory in nature and has tarnished the image of the officers/officials of the NDMC. The complainant submitted that in order to cross check the contents of the aforesaid impugned clippings, the Enforcement Department has conducted a preliminary inquiry by calling the squatters/vendors of Gate No.3&4 of Palika Bazar. During the enquiry squatters informed that Shri Piyush Jain (Reporter) has been harassing the vendors as he demands money from them. The Mafia also uses him to put pressure on the vendors to allow their sites to be sub-letted to the mafia. The complainant vide letter dated 3.2.2017 drew the attention of the respondent towards the impugned publications and requested him to submit the proof with regard to his allegations, but received no response.

A Show Cause Notice dated 25.7.2017 has been issued to the respondent editor, Indraprastha News Reporter.

Written statement

In response to the Council's Show Cause notice dated 25.7.2017 the respondent editor, Indraprastha News Reporter filed his written statement and submitted that the complainants filed this complaint with malafide intentions as they are not the aggrieved party and the news was also not published against them. The respondent submitted that the complainants filed this complaint on the basis of anonymous complaints and in the police complaint also the complainant have not mentioned their address and phone number and when police investigated the matter they found that the complaint is baseless and false. The respondent further submitted that the complaint is against Shri Piyush Jain and he has stated that they have no relations with Shri Piyush Jain in any manner. The respondent submitted that the matter is pending before the Court and sub-judice and Press Council has no jurisdiction to entertain this complaint.

A copy of the written statement was forwarded to the complainant on 14.8.2017 for information/counter comments, if any.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 4.10.2017 at New Delhi. Shri Y.V.V.J Rajasekhar, Director, Estate, represented the complainant and Shri Aditya Mitra, Editor of respondent paper appeared before the Inquiry Committee.

The complainant is aggrieved by two news items published in the respondent newspaper. In one of the news item, the details of certain persons have been given who reportedly had stop at two places within the area of New Delhi Municipal Council. In the other news item, the conduct of the Director of the NDMC has been commented upon. The Director of the NDMC is the complainant before the Council.

It is an admitted position that those vendors whose names figure in the impugned news item have resorted to proceedings before a Competent Court of law. In view of the matter, the Inquiry Committee is not inclined to proceed in the matter and examine the truthfulness or otherwise of that news item. As regards the second news item in which the conduct of the Director has been commented upon, the Inquiry Committee is of the opinion that before making any such comments, the version of the complainant ought to have been taken. It has not been done so. This has clearly violated norms of journalistic ethics. Accordingly, the Inquiry Committee cautions the respondent newspaper to be careful in future.

The Inquiry Committee, accordingly, recommends for disposal of the complainant with the aforesaid observations.

Held

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

Press Council of India

Sl. No. 19

F.No.14/381/16-17-PCI

Complainant

Respondent

Shri Sudeep Chatterjee, Partner, M/s Singh Lall & Singh Sethi, New Delhi	The Editor, Mid Day New Delhi
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Adjudication
Dated: 09.10.2017

This complaint dated 24.10.2016 has been filed by Shri Sudeep Chatterjee, Advocate on behalf of Mr. Farhan Akhtar, Mr Ritesh Sidhwani and Zee Music Company against the editor, Mid Day for alleging publication of an article under the caption “*Let’s make some noise*” in its issue dated 21.10.2016. It is reported in the impugned news item that the Producers of Rock On 2 are not happy with the lukewarm response of the music of Rock On 2 and they blamed Zee Music for it on bad marketing. It is also reported in the impugned news item that the film’s title track was released on T-Series and widely promoted and trending social media and received a better response than the earlier released songs, Zee calls it the recall factor but the producers regretted for not opting the T-series earlier.

Denying the false and defamatory contents published in the impugned article, the complainant submitted that the music released on Zee Music was greatly appreciated by a large number of music lovers and they received positive reviews from the members of the industry as well as general public. He has further submitted that they were shocked to see the unfounded, unsubstantiated and false statements made in the impugned article. The complainant further submitted that the statements published in the impugned news article have never been made by them and just a fiction in the mind of the respondent which is gross violation of Press Council Norms. The complainant also submitted that the impugned article is defamatory and attempts to put unfounded and false impressions in the minds of readers who are potential viewers of the cinematograph film Rock On 2 effecting their decision to either watch the film or take on license the musical rights. The respondent by publishing the impugned news article damaged their reputation. The complainant submitted that the impugned article is completely false and published without pre-publication verification and smacks of malafide intent. The complainant vide Legal Notice dated 24.10.2016 drew the attention of the respondent towards the impugned news article and requested them to issue an unconditional and unqualified apology for publishing the impugned article along with their version. He has also requested them to remove all the articles from the websites.

In response to the communication dated 24.10.2016 of the complainant, the respondent vide letter dated 21.11.2016 stated that the notice under references false, incorrect, frivolous, mischievous and has no basis. He has stated that the piece “*Let’s make some noise*” is not an article but it is a SNIPPET that appeared in the daily gossip column “Have you heard” was absolutely truthful and factual and based on hearsay, as published in

other gossip columns published across the world for the knowledge and informant of the public at large. He has further stated that the publication was clearly in good faith, without any malice and the same at no stretch can be held to be defamatory, especially, when it is an assertion of fact, rather than being a mere opinion. The complainant was not satisfied with the reply of the respondent. He has requested the Council to direct the respondent to publish his version with equal size and prominence in the newspaper with regret and pass such order as they deem fit in the matter.

A Show Cause Notice issued to the respondent Editor, Mid Day on 03.01.2017 but no response was filed. The respondent had also declined to accept the notice of hearing issued for hearing on 20.06.2017 and the consequential order.

Recommendation of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 04.10.2017 at New Delhi followed by adjournment dated 20.06.2017. The complainant was not present whereas Mr. Piyush Joshi, advocate appeared on behalf of the respondent paper.

By an Order dated 29.6.2017 the complainant was asked to file Vakalatnama as also the declaration of the persons concerned. Same has not been carried out.

Hence, the Inquiry Committee is not inclined to proceed in the matter.

However, before the Inquiry Committee parts with the case, it deprecates the conduct to the respondent newspaper in refusing to receive notice sent to it twice. It is expected that they shall not do so in future. A copy of Order be forwarded to the editor of the newspaper.

With aforesaid direction, the Inquiry Committee disposes 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 decides to **dispose of** the complaint with observation against the respondent paper.

PRESS COUNCIL OF INDIA

Item no.20

F. No. 14/184/15-16-PCI

Shri Murari Lal Bansal
Yash Motors,
Panna Naka, Satna,
Madhya Pradesh.

The Editor
Star Samachar,
Satna, MP.

Adjudication **Dated 09.10.2017**

This complaint dated 29.07.2015 has been filed by Shri Murari Lal Bansal, a mine owner from Panna NkaSatna, MP against the editor of Star Samachar for publishing a series of alleged by false, misleading and defamatory news items against the complainant with an intention to malign his reputation. The complainant stated that the news articles levelled various unfounded and malicious allegations which are completely wrong and incorrect. He submitted that he is in the mining business since 2010 in village Sarbhangafor mineral ocher, white earth, laterite and bauxite mining in the said area of Sarbhanga Hills.

The complainant claims that he operates his business within legal boundaries and the respondent newspaper in order to increase the sale of the newspaper has been publishing series of sensitising news item by showing him in bad light

The gist of various impugned news items published by Star Samachar, the respondent are as follows:

Srl. No.	Issue Dated	Content
1	26.03.2015	In this issue the Star Samachar has stated that mining mafia is doing illegal bauxite mining near 108, YagVediya and published that the Village: Sarbhanga mining lease of mine has been transferred and mining is still bag carried out without the permission from the State Govt.
2	03.04.2015	The newspaper has allegedly published misleading photographs showing that the trees were cut in SarbhangaPhadi to 108 YagVediya the area which had been granted to the complainant for mining. The report also stated that the order of the ASI or the mining officer is doubtful. This has damaged the local reputation of the complainant and has made the locals of the region against him. This has adversely affected his business and tainted his reputation amongst the business community people.
3.	04.04.2015	In this issue the respondent newspaper has allegedly claimed that the complainant had illegally transferred the mine to some other company in Delhi. According to the complainant this is false, unverified piece of news which has been published out of some personal grudge.
4.	06.04.2015	In this news item the respondent newspaper has claimed that the RTI report collected from the ASI and was submitted to the Collector, Govt. of MP is doubtful. By doing this the newspaper,

		according to the complainant is indulging in yellow journalism as the newspaper is using eye-catching headlines to sell more newspaper while at the cost of maligning the reputation of a Govt. Department in this case the ASI.
5	08.04.2015	In this news item the newspaper has allegedly used the term 'Mining Mafia' against the Complainant without any supporting evidence which the complainant submits to be a direct case of defamation. Apart from that the complainant alleges that the newspaper had also presented wrong and misleading facts in the said news item.
6.	14.04.2015	The news item states that the complainant is mining on a 50 acre land whereas the truth is he is mining on a five acre land.
7.	17.04.2015	This news item again levelled the complainant as mining mafia.
8.	21.04.2015	The newspaper had published that the complainant who has been levelled as a mining mafia has now joined the collector in inspection of his mine area. According to the complainant this is misleading as he being the mine owner received a notice from the Collector for inspection mine inspection and he accompanied them during the inspection.
9.	23.04.2015	The newspaper in this issue stated that the permission for mining was rejected by the Gram Sabha and the area of mining is infringing on the Ram Van Gaman path, which according to the complainant is completely misleading and false news.

The complainant further submitted that the articles concerning village Sarbhanga and mining has been published by the respondent newspaper to pull political stunt and to harass the complainant and to provoke religious sentiments of the locals against the complainant and is a violation of Journalistic ethics. Even the Hon'ble High Court of Madhya Pradesh has taken cognizance of the matter and had passed an order dated 21.07.2015 stating that "...we restrain the petitioner from causing such publication directly or indirectly...". However the Star Samachar ignoring the order of the Court again published defamatory news item against the complainant in its issue dated 27.07.2015.

The complainant vide his letter dated 29.09.2016 informed the Council that on 22.07.2015 he wrote to the concerned respondent newspaper and asked for an apology and to stop publishing misleading, false and defamatory news against him (the complainant). However, the respondent newspaper continued to publish defamatory news items even against him.

A time bound Show Cause Notice dated 08.04.2016, followed by another notice dated 07.10.2016 were issued to the respondent newspaper.

Written Statement

On 21.11.2016, the reply has been filed by Star Samachar file with reply. The respondent newspaper submitted that the complainant is carrying out the mining in Sarbhanga region illegally and as the complainant has already declared in his complaint dated 29.09.2016 that the same matter is pending in the High Court of Madhya Pradesh so filing the same matter with Press Council calls for rejection of the matter. The respondent newspaper informed that the locals of Sarbhanga region has filed a Court case against the Complainant as he has indulged in destruction of old monuments and old deities which carrying out the

mining activities in the areas and Star Samachar has nothing to do with that petition. However they have covered the incident of evacuation and ruining of ancient deities and monuments in its issue dated 25.07.2016 which has also been covered by other newspapers hence the allegation of the complainant that the intention of Star Samachar is to malign him is untrue further the gazette notification issued by the State Government dated 17.06.2016 in public interest proves that Mr. Bansal's mining area is situated on the archaeological site. This region, according to the respondent newspaper has historical importance and religious faith of millions of people all over India is attached with it and this illegal mining is destroying and damaging the historical site. Hence to protect and preserve the sanctity and religious importance of the Sarbhanga region it is important that the media should inform the people about the illegal mining work carried out in the region and the respondent newspaper claims to do its job of informing people.

A copy of the written statement was forwarded to the complainant on 25.11.2016 for counter comments.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 04.10.2017 at New Delhi following several adjournments, Shri Mohit Chobey, Advocate appears on behalf of the complainant while Shri Vijay Sharma, Bureau Chief appeared for the respondent paper.

Mr. Mohit Chobey states that only grievance of the complainant is that in the impugned news, he has been described as "Mafia". The Bureau Chief of the respondent newspaper appears and states that in future, such an expression shall not be used for the complainant. This satisfied the complainant.

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

Held

The Press Council on consideration of 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

Item No. 21

F.No.14/53/17-18-PCI

Complainant

Ms. Pritee Shah,
Chief General Manager-CERC,
Editor, GrahakSathi,
Ahmedabad.

Respondent

The Editor,
Times of India,
Ahmedabad.

Adjudication **Dated 09.10.2017**

Ms. Pritee Shah, Chief General Manager, Consumer Education and Research Centre(CERC), Editor, GrahakSathi, Ahmedabad raised a grievance against the Editor, Times of India, Ahmedabad, initially filed before the Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs for publication of an advertisement of “*Officer’s Choice Blue*” by the respondent in its issue dated 22.10.2016. The complainant stated that the print advertisement just says “Officer’s Choice Blue” and everyone knows that the Officers Choice Blue is an Indian Whisky brand and this is a clear case of advertisement for alcohol. The complainant drew the attention of the Advertising Standards Council of India (ASCI) and ASCI in its reply informed the complainant that “the matter pertains to brand logo appearing in the news article. This appears to be a direct advertisement”.

The complainant has requested to take strict action against the advertiser and the publication which may deter other publications for carrying such advertisements in future.

No Written Statement

While the advertisement fell beyond the jurisdiction of the Council, in far as the newspaper was concerned, initially Council issued a Notice for Comments to the respondent editor, Times of India, Ahmedabad on 30.5.2017. In absence of any reply from the paper, a Show Cause Notice to the respondent editor was issued on 1.8.2017. Despite that no response was filed.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 04.10.2017 at New Delhi following an adjournment dated 17.08.2017. Shri Ashwani Kumar Sharma, Advocate appears on behalf of the respondent while no one appeared for the complainant.

Mr. Ashwani Kumar Sharma prays for time. The Inquiry Committee is not inclined to accede to the prayer.

The matter is taken up for hearing on merits.

It is the allegation of the complainant that the respondent has published advertisement “Officer’s Choice Blue” which according to the complainant is an Indian Whisky brand. The complainant submits that this is a clear case of direct advertisement for alcohol. The respondent has not chosen to file any reply to justify the said advertisement. In the opinion of the Inquiry Committee, the impugned advertisement is not only illegal but also against the

Norms framed by the Council. Publication of such an advertisement and subsequent absence of the defence shows defiance on part of the respondent newspaper. The Inquiry Committee, accordingly, recommends that the Ahmedabad edition of the "Times of India" be **censured**.

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 **Censures** respondent paper, the Times of India, Ahmedabad. A copy of the order be forwarded to the Director General, DAVP, the Director, Information and Public Relations Department, Government of Gujarat, the District Magistrate, Ahmedabad and the RNI for appropriate action.

Press Council of India

Item No. 22

F.No. 14/552/16-17-PCI

Complainant

Respondent

General Secretary, Popular Front of India, Kerala State Committee, Kozhikode	The Editor, Janmabhoomi, Kozhikode
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Adjudication
Dated 09.10.2017

This complaint dated 27.12.2016 has been filed by the General Secretary, Popular Front of India, Kerala State Committee, Kozhikode against the Editor, Janmabhoomi, Kozhikode alleging publication of objectionable, nefarious, false, fictitious and obnoxious news item under the caption “**Again love Jihad Alive**” (English Translation).

The impugned news item reports that the complainant organization viz. Popular Front of India alleged to have involved in conversion of Hindu girls to muslim religion. An investigation has revealed that a girl missing from Vaniyambalam Poomkulam, has gone with SDPI worker, who along with Popular Front of India is involved in other cases also. It is further reported that most of the girls have joined IS after converting to Islam through Sathya Sarani, Manjeri an Institution managed by Popular Front of India. It is also published in the impugned news item that recently assassinated Faisal alias Anil Kumar at Thiroorangadi, Kodinhi is an example of funded conversion. He was offered finance, land and other amenities for converting himself and his family to Islam. Leaving on alternatives, Faisal (Anil Kumar) converted them to Islam but did not receive the offered money. When they asked him to convert his parents also, the altercation occurred due to this reason he was assassinated and his assassination is burning issue in Kerala.

Denying the allegation levelled in the impugned item, the complainant has submitted that the respondent is trying to portray his organization as a terrorist organization without any established proof. He has further submitted that the news item was published with the intention to malign the image and reputation of the complainant. According to the complainant paper’s reporting on the issue clearly establish professional misconduct and portrays the organisation with terrorist tag as an underground organization and promoters of conversion. The complainant further requested the respondent to withdraw the factually wrong defamatory news item and publish an unconditional apology at a prominent place, in such a way which may not miss the notice of all the readers, but no response has been received so far.

A Show Cause Notice was issued to the respondent editor Janmabhoomi, Kozhikode on 27.03.2017.

Written statement

In response to the Council's Show Cause Notice dated 27.03.2017, the respondent editor, Janmabhoomi, Kozhikode vide written statement dated 21.04.2017 has submitted that the complaint filed by Popular Front of India, Kozhikode, is based on suppressed and distorted material facts and the news published by the complainant is based on the High Court's observations and directions in a habeas corpus writ filed by the father of one Akhila who has been converted to Islam. The respondent has further submitted that the complainant themselves admitted in the complainant that Janmabhoomi is a widely circulated daily and it is because of its truthfulness and boldness when dealing with highly sensitive news, it became a popular daily with substantial number of subscribers. He also submitted that the news was published after due verification about the accuracy of the information. It is further submitted that the judiciary also showed serious concern on certain aspects that has been played behind the curtain in the complainant's organization especially in connection with the conversion. The respondent has requested to drop any further proceedings in respect of above case.

A copy of the written statement was forwarded to the complainant on 02.05.2017 for counter comments.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 04.10.2017 at New Delhi. Shri Mohd. Aitmad Ajmeri Counsel for complainant has appeared, Mr. Jo Jo Jose, Mr. Ankit Gusain counsels and Mr. S. Sandeep Bureau Chief has appeared for the respondent.

Mr. Mohd. Aitmad Ajmeri appears on behalf of the complainant. He prays for time. The Inquiry Committee is not inclined to accede to the prayer for adjournment. He was asked to address the Committee on merit of the case but he has not chosen to do so. The Inquiry Committee 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 finds and adopts the report of the Committee and **Dismiss** the complaint.

PRESS COUNCIL OF INDIA

Item No.23

F.No.14/100/17-18-PCI

Smt. Lily Gupta,
New Delhi

The Editor,
Democratic Mission
Patna.

Adjudication **Dated 09/10/2017**

This complaint dated 14.6.2017 has been filed by Smt. Lily Gupta, New Delhi against the editor, Democratic Mission, Patna alleging publication of false, misleading, and objectionable news item under the caption “Bihar mein rajyapalon ki asanvedhank kaargujariyan” in its issue dated March-April, 2017. It is reported in the impugned news item that the Governor of Bihar illegally appointed complainant as Principal of Aaganbadi Training Kendra, Patna on the basis of forged educational documents. The Hon’ble Governor appointed the untrained (complainant) instead of already working Principal, whom they forcibly remove from the post. The news reports claims that the complainant presently posted in Delhi is using her contacts with many senior politicians and IPS officers to get a seat in Rajya Sabha. The complainant and her two-three associates have a direct link with the Governor.

Denying the allegations levelled in the impugned news item, the complainant submitted that the news item is totally false and misleading and published just to tarnish her image in the eyes of the public, family and friends. The respondent by publishing false and unverified news assassinate her character and has been published to blackmail her. The complainant vide letter dated 22.5.2017 drew the attention of the respondent towards the impugned news item and requested him to publish apology, but received no response. She has requested the Council to take action against the respondent.

A Show Cause Notice was issued to the respondent editor, Democratic Mission Patna on 7.7.2017.

Written Statement

In response to the Council’s Show Cause Notice dated 7.7.2017 the respondent editor, Democratic Mission, Patna filed his written statement on 29.7.2017 stating that the news was published on the basis of the facts and figures. The respondent submitted that the complainant does not have good character and she has filed many cases against him and also her husband for money. The respondent submitted that the complainant runs forged NGOs and grab crores of rupees and hire goondas for his murder. He has submitted that they have a large number of evidences against the complainant and they can show those evidences at any point of time. He has submitted that the complainant filed this complaint just to malign his magazine and pressurize him.

A copy of the written statement was e-mailed to the complainant on 29.8.2017 for her counter comments/information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 04.10.2017 at New Delhi. The complainant appeared in person, while no one appeared for respondent.

The Inquiry Committee has heard the complainant. Despite service of notice, the respondent has not chosen to appear. However, he has filed the Written Statement. The Inquiry Committee has perused the complaint, written statement, impugned news item and all other connected papers.

From the perusal of impugned news items it is obvious that the respondent magazine has highlighted the personal affairs of the complainant. In fact, the respondent targeted her by a design. There is certain personal information given in the story, which cannot be said to be in public interest. In the written statement also, the respondent has used the language not befitting a journalist. For all these reasons, the Inquiry Committee is of the opinion that the respondent magazine deserves to be **Censured**.

The Inquiry Committee, accordingly, recommends for **Censure** of the Magazine. A copy of this order be forwarded to the Director, DAVP, the Director Information & Public Relations Department, Government of Bihar, the District Magistrate, Patna and the Registrar of the Newspaper for India for appropriate action.

Held

The Press Council on consideration of records of the case and report of the Inquiry Committee accepts reasons, findings and adopts the report of the Committee and **Censures** Democratic Mission, Magazine published from Patna.

field of research. The caption has therefore made a wordplay of the Marathi Idiom “Narmadatil Gote” on the seminar’s title “Gyan Sangam”, viz. “Gyan Sangmatil Gote”.

He has further stated that Shri Bhagwat has not objected to the impugned Editorial column. It is not defamatory to say that the RSS needs to encourage research oriented scholars, with analytical and questioning minds, as only these will excel in research and advancement. He has further denied that the caption of the impugned editorial column means ‘Pebbles in the confluence of knowledge’. The seminar itself was called “Gyan Sangam”. It is denied that the translation furnished by the complainant is accurate.

He has also stated that the complaint contains only blanket denials and baseless allegations. The letter sent to the Editor was scurrilous, accusing the newspaper of printing a “lie” in the impugned Editorial column therefore did not warrant any reply. He has stated that there exists no ground to censure the editor or the newspaper and prayed that the complaint be dismissed.

A copy of written Statement has been sent to the complainant on 25.07.2017 for information/counter comments.

Counter Comments

The complainant vide his counter comments dated 09.08.2017 has stated that the reply is false, misleading and concocted and is the best example of ill interpretation. Reply is more insulting, defamatory and libellous to all the honourable participants in the conference. He has further stated that the word ‘Gote’ is referred to ‘Narmadetil Gote’. However, it is ill interpretation and respondent is deliberately misleading the honourable Council by linking/attributing the ‘Gote’ word to Narmada river and wrongly and mischievously interpreting the Marathi idiom “Narmadetil Gote”. He has prayed that stringent action may be taken against the Respondents and they may be censured.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 04.10.2017 at New Delhi. Shri Nikhil Madhukar, complainant was present. The respondent paper was represented by Ms. Monika Bansal and Ms. Mallika Parmar.

The Inquiry Committee has heard the complainant and the Counsel for respondent. It has perused the complaint, written statement, counter comments and all other connected papers. The Inquiry Committee finds no merit in the grievance of the complainant and is of the opinion that editorial privileges cannot be curtailed so as to suit 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 to decide **Dismiss** the complaint.

Press Council of India

F.NO. 14/345/16-17-PCI

Item no.25

Complainant	Respondent
Shri Dulal Bora Rajib Gandhi Pat Khanapara, Kamrup, Guwahati.	The editor Asomiya Khabar., Guwahati

Adjudication

Dated 09.10.2017

This complaint dated 31.8.2016, has been filed by Shri Dulal Bora, Kamrup, Guwahati, against Shri Biswajit Das, reporter, Asomiya Khabar, alleging publication of concocted and fabricated interview of Mr Sarbananda Sonowal, Chief Minister of Assam.

The complainant submitted that on 24.5.2017, Shri Sarbananda Sonowal, Assam State President of Bhartiya Janta Party, was sworn-in as a Chief Minister of Assam and on very same day an interview with the new Chief Minister was published in an Assamese Daily newspaper, Asomiya Khabar. The said news was reportedly published on the basis of the exclusive interview with newly appointed Chief Minister of Assam, captioned “**Not with the talks, we shall win the hearts of the people of Assam by works**”. However, according to the complainant, such interview never took place as on 28.05.2016 the complainant was shocked to read that several newspapers, namely - Asomiya Protidin, Janasadharon and Niyamiabartra, published that Sarbananda Sonowal, Chief Minister of Assam was very distressed to know about the false interview and directed his office to investigate the subject matter. The complainant claimed that the accused reporter is involved in a conspiracy of blackmailing the newly appointed CM, and has pleaded this Council “to register a criminal case against so called reporter Biswajit Das under the Act of IPC”.

Reply Filed by the Respondent

In response to the Show Cause notice dated 26.4.2017, the respondent newspaper in its written statement dated 5.5.2017, informed that the alleged impugned news item was published on 24.05.2016 in Asomiya Khabar, under the by-line of staff reporter, Mr Bijwajit Das and was written by Mr Das after his conversation with the Hon’ble CM and this was reported by Mr Das while filing the report.

Counter comments

The complainant in his counter comments dated 31.05.2017 stated that, on 23.5.2016, the Hon’ble CM of Assam was not available for any interview or neither he was contacted by any media person than how could an exclusive interview of the new CM of Assam got published on 24.5. 2016 in the respondent newspaper and doubts that the reporter with the respondent newspaper is involved in a conspiracy against the then newly appointed CM of Assam. He requested the Council to take necessary action against the Editor for publishing

the news without pre-publication verification and has also prayed to take necessary action against Mr Biswajit Das, staff reporter for publishing false news.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 04.10.2017 at New Delhi. Neither complainant nor respondent has appeared.

Despite service of notice, nobody has chosen to appear. The Inquiry Committee, accordingly, recommends for dismissal of the complaint for want of prosecution.

Held

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

Press Council of India

Item No. 26

File No. 14/587/16-17-PCI

Shri Ganeswar Nayak,
Tentulipada Project Upper primary
School,
Chandahandi Block,
District Nabarangpur,
Odisha.

Vs.

The Editor,
The Sambad,
Eastern Media Limited,
B/27, industrial Area,
Rasulgarh, Bhubaneswar.

Md. Husen,
Block correspondent,
“The Sambad”,
Odia Daily Newspaper,
At/Po. : Chandahandi,
District : Nadarangpur,
Odisha.

Adjudication
Dated 09.10.2017

This complaint dated 16.01.2017 has been filed by Shri Ganeswar Nayak, Head Master (Presently under suspension), Tentulipada Project Upper Primary School, Odisha against the Editor, The Sambad and the correspondent named Md. Husen, alleging publication of a derogatory news item in its issue dated 02.12.2016 under the captions “**Head Master suspended**” and “**Tentulipada school unlocked after three months**” (English translation given by the complainant).

It is reported in the impugned news item that the re-transfer of the Head Master to the Tentulipada Project Upper Primary School Under Chandahandi Block is being opposed. As a mark of protest, the school management committee and the villagers had locked out the school for the last three months. Likewise the hostel was also closed. The administration has taken action in this regard as the DEO, Shri Chandra Sekhar Panigrahi has directed the Chandahandi BDO, Shri Bhajanlal Majhi for the suspension of the Head Master, Shri Ganeswar Nayak. The BDO said that the Head Master, Shri Ganeswar Nayak has been suspended from the job. He also said that the suspension order has been communicated to the Head Master through the CRCC Shri Hrusikesh Sunani. The School Management Committee and the villagers have protested the re-transfer of the Head Master again to the said school.

It is also reported in other news item that after three months the lock of the Chandahandi Block, Tentulipada Project Upper primary School has been opened. After taking disciplinary action against the Head Master, the villagers have called off the protest.

The complainant has stated that till the publication of the news, he has not received any suspension order. The complainant submitted that it is also false that the villagers and the school management committee have locked out the school and they are protesting his re-transfer to the school but some of his opponents are creating unpleasant situations and interfering in the school matters. The complainant has served a legal notice through his advocate to the respondent on 06.12.2016 for re-publication of the matter. He has stated that he is not satisfied with their reply. The complainant requested the Council to take action against the respondent.

A Show Cause Notice was issued to the respondent on 11.05.2017.

Written Statement

The respondent in his undated Written Statement has stated that the complaint petition is baseless and not tenable under law. He has further stated that the news item published in its newspaper is neither false nor derogatory in nature. He has also informed that due to some administrative ground the Collector, Nabarangpur, transferred the petitioner from Tentuliapada Project Upper Primary School to some other place but due to some administrative reason he could not join there and the DEO, Nabarangpur, by modifying the order again reverted the petitioner to his previous place of posting. This was opposed by the villagers and they demanded the withdrawal of such re-transfer order of the petitioner by the concerned authority. After several demand when Administration failed to solve the matter the agitation arose among the villagers and they locked up the school for a long period.

He has also stated that when local correspondent met the Block Education Officer, Chandanhandi on 01.12.2016 to enquire about the matter, the BEO by showing the suspension letter of petitioner informed that by the order of DEO, Nabarangpur, the petitioner has been suspended from his service from 01.12.2016. This news was published on the very next day i.e. 02.12.2016 in Jeypore Edition for the information of general public of that local area. He has prayed that the complaint petition of the petitioner is liable to be dismissed with exemplary cost being devoid of merits.

A copy of Written Statement was sent to the complainant on 15.06.2017 for information/Counter Comments.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 04.10.2017 at New Delhi. Neither complainant nor respondent has appeared before the Inquiry Committee.

Despite service of notice, nobody has chosen to appear. The Inquiry committee has perused the complaint and all other connected papers. The Inquiry Committee finds no merit in the grievance of the complainant and accordingly, recommends for dismissal of the complaint.

Held

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

Press Council of India

Item No. 27

File No. 14/580/16-17-PCI

Shri Arun ch Borthakur,
Secretary,
Sri Sri Maha Vishnu Jangya Mandir,
Nehru Park,
Jorhat – 758 001.

Vs.

The Editor,
Asomiya Pratidin,
Guwahati.

Adjudication

Dated 09.10.2017

This complaint dated 16.12.2016 has been filed by Shri Arun ch Borthakur, Secretary, Sri Sri Maha Vishnu Jangya Mandir, Jorhat against the Editor, Asomiya Pratidin alleging publication of a false and misleading news item with malafide intention under the caption **“Favouritism of the money greedy office bearers of the Managing Committees, anxious members, amazement of Public, Running of business in the name of holding marriage ceremony in the temple of Jorhat constructed by Public”** (English Translation) in its issue dated 24.11.2016.

It is reported in the impugned news item (synopsis of news item as provided by complainant) that Jangya Mandir of Jorhat was established in 1960 and it is not only a place of devotion but a heart of conscious people of place. Now it has been turned into a self-gain business centres as the rates previously fixed upon for the celebration of marriage have been enhanced from Rs. 16,000 to 18,000 by an office bearers Sarmah by title whimsically which has tarnished the basic purpose of helping the needy members of the mandir. It is further alleged that the erstwhile office bearer, Sarmah managed to enrol five keens into the executive Body so that he might not be harassed by questions of irregularities. It is further reported in the news item that the glorious reputation of the past has been deteriorated due to the entrance and power handed upon a band of persons who have no grandeur or dignity but alleged to have been turned the place of worship into their own style of business centre. It is also reported that no enquiry has been made so far in spite of stolen items such as valuable timbers, G.C.I. sheets, iron rods etc. from Jangya Mandir during the tenure of one Mr. Baruah, an ex-office bearer. Many dedicated veteran members are deeply aggrieved to see such self-interested persons who work only for self and family gain and their style of work reduced the administration and trust of the common people.

The complainant vide Notice dated 15.12.2016 explained the fact and requested the respondent to publish the clarification in this regard. The complainant has requested the Council to take necessary action against the respondent.

A Show Cause Notice was issued to the respondent on 11.05.2017 for written statement.

Written Statement

The respondent in his Written Statement dated 15.05.2017 has stated that no translated version (in English) of the news item in question dated 24.11.2016 has been furnished by the complainant along with his complaint, what has been given is only a

'synopsis' of the news item, which is only the isolated reproduction of the selected portions of the news item/news report. Even the isolated and segregated paragraphs in the complaint are not the full and complete translation of the original news item which is about 535 words. Moreover, even the isolated translated portions are twisted and not translated in exactitude. He has further stated that the news item/report has basically and ex-facie highlighted the high concerns about two religious institutions and their historic-social glory. The news item also makes specific mention that both the Mahavishnu Jangya Mandir was established way back in 1960 by raising donation, gifts and contributions from the members of the public and that the same was possible because of prominent person like Deveswar Sharma, Dr. Dinannath Baruah, Kanak Chandra Sharma, Lakheshwar Bhattacharya, Surjya Sharma etc. who were always making great endeavours towards the social life of Jorhat. He has also stated that there has been reported misappropriation of public funds as well as the temple management was in fact found to have been involved in breach of trust, dishonesty, forgery and misappropriation of temple funds. Such allegations or findings were proven itself by way of a resolution which was adopted in the annual general meeting of the temple committee in 2016 and on the basis of such findings, it expelled one important executive member from the management committee.

He has also stated that he has two such signed and sealed money receipts for realisation of Rs. 4,500/- as advance money and another 14,500/- as rental from a citizen of Jorhat for allowing to hold a marriage ceremony to a particular incumbent. He has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 03.08.2017 for counter comments.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 04.10.2017 at New Delhi. Neither complainant nor respondent have appeared before the Inquiry Committee.

Despite service of notice, the complainant has not chosen to appear. The Inquiry Committee has perused the complaint, written statement and all other connected papers.

The Inquiry Committee finds no merit in the grievance of the complainant. It 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.