

Adjudications Rendered by the Council on 22.08.2019

Section 14 – Complaints against the Press

Cases heard by Inquiry Committee-II in its meeting held on 27th& 28th May 2019 at New Delhi.

<u>S.No.</u>	<u>File No.</u>	<u>Subject</u>
1	14/1046/14-15	Reference from former Member, PCI regarding publication of Paid News by The Hindu, Thiruvananthapuram.
2	14/52/17-18	Complaint of Shri Harshwardhan Singh Bhadoriya, Noida against Dainik U.P. News Express
3	14/83/17-18	Complaint of Shri Ramashrya Singh Yadav, Noida against Dainik U.P. News Express.
4	14/205/17-18	Complaint of Smt. Seema Sharma, Noida against Dainik U.P. News Express
5	14/500/16-17	Complaint of Capt. Makar B. Limbu, West Bengal against Himalaya Darpan.
6	14/213/18-19	Complaint of Shri Shri Kant Rai, Secretary General, NTPC Executives' Federation of India, New Delhi against Union Territory Independent, Delhi.
7	14/435/18-19	Complaint of Shri M.P. Nathanael, Consultant (PR), NCERT, New Delhi against Greno Express, Gautambudh Nagar (U.P)
8-9	14/374-375/18-19	Complaint of Dr. Sudhakar Singh, Bachpan Hospital, Lucknow against Hindustan and Navbharat Times
10	14/376/17-18	Complaint of Shri Sanjeev Paria, Fatehgarh against Youth India.
11	14/27/18-19	Complaint of Shri Anand Bhan Shakya, Farrukhabad against Youth India.
12	14/163/17-18	Complaint of Shri Awadesh Mishra, Advocate, Farrukhabad against Youth India.
13	14/181/18-19	Complaint of Shri Arun Sharma, Director Admn. (Drugs), CDSCO (Hq), General of Health Services, New Delhi against Union Territory Independent

14	14/385/18-19	Complaint of Shri Kamalkant Tiwari, President, Subhash Children Society, Kanpur City against Amar Ujala.
15	14/499/18-19	Complaint of Shri Mithun Ghosh, Specialist, Forensic Medicine, P.L. Sharma District Hospital, Meerut against Amar Ujala.
16	14/280/18-19	Complaint of Shri Rajeev Kumar, Ghaziabad against True Times.

Cases heard by Inquiry Committee-I in the meeting held on 26th& 27th June 2019 at Hyderabad.

S.No.	File No.	Subject
17	14/308/16-17	Complaint of Shri Chandra Mohan Vathyam, Hyderabad against Deccan Chronicle (Censure)
18-19	14/399-400/18-19	Complaint of Shri N.S. Madeswaran, Krishnagiri (Tamilnadu) against (i) Dinamani and (ii) Maalai Malar.
20	14/533/17-18	Complaint of A.M.D. Mohamed Salih Hussain, Tamilnadu against Daily Thanthi, Madurai.
21	14/402/18-19	Complaint of Shri S Udyia Shankar, Chennai against Dinamalar
22	14/244/18-19	Complaint of Dr. Sasi Kanth, Assistant Professor, Forensic Medicine, ACSR, Govt. Medical College, Nellore, A.P. against Sakshi Daily, Hyderabad
23	14/197/17-18	Complaint of Sh. P.E.B. Menon, Pranth Sanghachalak, RSS, Kerala against 'Deshabhimani'.
24	14/174/17-18	Complaint of Dr. N.S. Ashok Kumar, Bangalore University, Bangalore against The New Indian Express.
25	14/166/17-18	Complaint of Ms. Mukta, Karnataka against Karavali Mungavu, Karnataka.
26	14/11/18-19	Complaint of Shri Rev. P. David Gnanaiah, Tamilnadu against Kumudam Reporter.
27	14/537/17-18	Complaint of Dr. B. Srinivasulu, M.D., Aditya Nursing Home, Adoi (Andhra Pradesh) against "Eenadu".
28-29	14/47-48/18-19	Complaint of Shri M.K. Sivadas, Kerala against (i) The Times of India and (ii) Mathrubhumi.
30-31	14/474-475/17-18	Complaint of Dr. C.V. Ravindranath, Managing Partner & Managing Trustee, Krishna Jewels, Kannur against (i) Malayalam Manorama and (ii) Mathrubhumi.
32	14/46/18-19	Complaint of Dr. C.V. Ravindranath, Managing Partner & Managing Trustee, Krishna Jewels, Kannur (Kerala) against Mathrubhumi Weekly.
33	14/91/18-19	Complaint of Shri Modalavalasa Rajendra Kumar, Andhra Pradesh against "Neti Mahatma".
34	14/301/17-18	Complaint of Shri Muppidi Srinivas, Karimnagar against "Praja Theerpu." (Censure).
35	14/567/18-19	Complaint of Shri A.S. Dinesh Kumar, Managing Director, A.P. State FibreNet Ltd., Vijayawada, Andhra Pradesh against Sakshi

36	14/270/18-19	Complaint of Shri Saji K. Ittan, Kerala against Mangalam, Kochi.
37	14/40/18-19	Complaint of Registrar, Shri Padmavati Mahila Visvavidyalayam (Women's University) Tirupati, Andhra Pradesh against Sakshi, Hyderabad.
38	14/343/17-18	Complaint of Shri Mohammed Basheer, Popular Front of India, Kerala State Committee against The Kesari weekly.
39	14/344/17-18	Complaint of Shri Mohammed Basheer, Popular Front of India, Kerala State Committee against The Mangalam Daily.
40-41	14/88-89/17-18	Complaint of the Director of Manidhanaeyam Charitable Trust's Free IAS & IPS Coaching Centre, Chennai against (i) "Tamizh Murasu" and (ii) "Dinakaran".
42	14/422/18-19	Complaint of Shri S. Gopal, Puducherry against Samathuvam, Weekly Magazine. (Censure)
43	14/200/17-18	Complaint of Shri Santosh Bharathi Guruji, Shimoga, Karnataka against Hi Bangalore.
44	14/378/18-19	Complaint of Shri Prakash M. Swamy, Sr. Journalist, Chennai against Nakkheran, Chennai.
45	14/503/18-19	Complainant of Shri S.M. Hatti, Karnataka against Benki Bevaru. (Censure)
46	14/370/17-18	Complainant of Shri S.C Mangesh kumar, Tamilnadu against Vilmurasu.
47	14/168/18-19	Complaint of Shri S.C. Mangeshkumar, Advocate, Gudiyathham, Guddiyattam (Tamilnadu) against "The Vilvoice", Chennai.
48	14/527/18-19	Complaint of Shri Girijesh, Chennai against The Telegraph, Kolkata.

Cases heard by Inquiry Committee-II in the meeting held on 8th & 9th July 2019 at Patna.

<u>S.No.</u>	<u>File No.</u>	<u>Subject</u>
49	14/467/18-19	Complaint of Shri Niranjana Barman, OSD to the Speaker, Tripura Legislative Assembly, Agartala against the editor, BITIRNA.
50	14/204/18-19	Complaint of Ms. Kicydore Nongsiang, Meghalaya against the Editor, Shillong Times.
51	14/421/18-19	Complaint of Shri Saurabh Priyadarshi, Principal J.S.M. DAV, Dhanbhad, Jharkhand against The Editor of Dainik Bhaskar.
52	14/524/17-18	Avinash Kumar, Bihar against The Editor of Dainik Bhaskar.
53	14/333/18-19	Complaint of Shri Satyam Kumar Bharti, Jharkhand against Prabhat Khabar.
54	14/414/17-18	Complaint of Shri Rajeev Kumar, Aurangabad, Bihar against the editor, Dainik Jagran.
55	14/397/18-19	Complaint of Shri Vijay Kumar Aman, Bihar, against The Editor of Dainik Bhaskar.

56	14/405/18-19	Complaint of Shri Vidyanand Nand keolyair, Bokaro against the Editor of Prabhat Khabar.
57	14/484/18-19	Complaint of Dr. Amit Kumar, President, National Public Service Commission, Bihar against the Editor of Dainik Jagran. (Censure)
58	14/497/18-19	Complaint of Dr. Arunima Chakravorty, Principal, DPS, Bhagalpur, Bihar against the Editor, Dainik Jagran, Bhagalpur.
59-61	14/421-423/17-18	Complaint of Shri Shiv Shankar Sahani, President, Bhrashtachar Unmulan Samiti, Muzaffarpur, Bihar against (1) Hindustan (2) Prabhat Khabar and (3) Dainik Bhaskar.
62	14/280/17-18	Complaint of Shri Prasun Maitra, State Committee Member, Hindu Samhati against the Editor, Jugasankha.
63	14/136/18-19	Complaint of Dr. J.K. Nandi, Registrar, Vidyasagar University, Midnapore, West Bengal against Jana Swartha Barta, Kolkata.
64	14/340/17-18	Complaint of Shri Ajay Nandi, Kshetriya Sanghachalak, RSS, Kolkata West Bengal against the editor, Ei-Somoy (Bengal News Paper).
65	14/252/17-18	Complaint of Dr. Supratik Sanatani, Kolkata against the Editor, The Statesman, Kolkata.
66	14/173/17-18	Complaint of Dr. Sudip Chatterjee, Secretary, Park Clinic, Kolkata against the Editor, Ebela.
67	14/201/17-18	Complaint of Shri Jagadish Chandra Ghosh, Kolkata against the Editor, Ananda Bazar Patrika, Kolkata.
68	14/482/18-19	Complaint of Debkumar Giri against the Editor, Ananda Bazar Patrika
69	14/283/18-19	Complaint of Shri S.K. Sharma, Dy. General manager, Uranium Corporation of India Ltd, Singhbhum (E), Jharkhand against the editor, Prabhat Khabar, Jamshedpur
70	14/100/18-19	Complaint of Dr. G. Narayan, Medical Practitioner at Primary Health Centre, Vaishali, Bihar against Dainik Bhaskar

Press Council of India

S. No.1

File No. 14/1046/14-15-PCI

Reference received from Member, Press Council of India regarding publication of Paid news by the Hindu, Thiruvananthapuram edition.

Adjudication dated 22.8.2019

Shri K. Amarnath, Member, Press Council of India vide email dated 28.2.2015 filed this reference regarding publication of paid news by the Hindu, Thiruvananthapuram edition. Shri Amarnath referred a report, reported by Shri Paranjay Guha Thakurtha, a senior journalist and former member of Press Council of India in The hoot.org website, that an inquiry conducted by the Kerala Govt. on the orders of Kerala High Court has found that the Hindu, Thiruvananthapuram edition published some stories praising an official of a govt. department in return for advertisements. It was reported in the said report of Inquiry Officer that the accused had paid money for infructuous advertisements in The Hindu to carry report praising him in order to help him get an extension of his tenure and this is a case of paid news. As appeared in the hoot.org website when asked about the advertisements, the Hindu responded that they do not indulge or support or endorse the pernicious practice of paid news. On the contrary, this newspaper has been in the vanguard of efforts nationally to expose and condemn the practice that does exist in Indian Journalism. The Hindu also stated that the Kerala State Council for Science, Technology and Environment KSCSTE (of which the Chairman is the Chief Minister of the State) has over time approached the Hindu, which has the largest circulation among all English newspapers published from or circulating in Kerala and which has national reach and credibility to publish features focusing on scientific education and research in Kerala, in the process also mentioning some of the work done by the KSCSTE.

The Inquiry Committee vide its Order dated 14.3.2017 had directed Chief Secretary of the Government of Kerala for production of the report of an inquiry reportedly conducted on the Orders of the Kerala High Court and vide order dated 13.7.2017 issued notice to Shri Paranjay Guha Thakurta, the author of the article that formed the basis of the case for his response in the matter.

In pursuance of the directions of the Inquiry Committee (i) Shri Paranjay Guha Thakurta (ii) Govt. of Kerala filed their following replies.

Report filed by Govt. of Kerala

An inspection Report of Finance Wing was filed by the Govt. of Kerala at the hearing held on 19.9.2017 at New Delhi. The report states that the Present Executive Vice President Prof. V.N. Rajasekhara Pillai has scant respect for the rules and regulations of the Kerala State Council for Science, Technology and Environment (KSCSTE) and for the law of the land. He continuously and deliberately bypassed all official procedures and often acted beyond his delegated powers, resulting in loss of lakhs of rupees to the State Exchequer and the general public at large. It is further submitted in the report that advertisement charge paid to "The Hindu" must be

recovered with 18% interest P.A. from Executive Vice President Prof. V.N. Rajasekhara Pillai.

Response from Shri Paranjoy Guha Thakurta,

In pursuance of I.C.'s direction dated 13.7.2017, Shri Paranjoy Guha Thakurta vide his communication dated 11.8.2017 furnished copies of supporting documents i.e. various news clippings that formed the basis of what he wrote and what was published in the hoot.org.

Reply filed by the respondent, The Hindu

In pursuance of I.C.'s direction dated 19.9.2017, Mr. P. Jacob, Senior Managing Director vide letter dated 25.10.2018 has filed a reply in connection with the report filed by Govt. of Kerala. He has stated that the Kerala State Council for Science Technology and Environment, has given advertisement in its own in connection with Kerala Science Congress. The file in this regard arose only after receipt of bill from The Hindu for advertisement. The total payment was Rs.18,30,675. He further referred to the inspection report and submitted that the Govt. had issued advertisement in this regard in almost all dailies. When this is the case, the implication clearly is that the Hindu was not favoured in any way by placing of an advertisement. The respondent submitted that it is true that the Hindu charged for two advertisements on the page at its regular rates (Rs. 18,30,675) and obtained payment thereof. Considering that the Hindu received money for publishing advertisements on a daily basis, it was not clear what wrong the Hindu had committed.

As regard the article appeared in an online forum called "The Hoot" whereby the Hindu is said to be indulged in "Paid News" and the Inquiry in this regard conducted by the recently retired Additional Chief Secretary of the State Government, the respondent submitted that Officers of the Kerala State Govt. have denied that any such inquiry was conducted by the State Government.

These official statements on record show that accusations made in the report that appeared in "The Hoot" were unfounded and without basis of fact. The purported government report that "The Hoot" relied on, does not seem to exist. Since the government report on which the article was substantially based has been shown to be non-existent, they have humbly requested the PCI to examine the facts and take an appropriate action.

The respondent also claimed that the report provided by the Council is not a "report given by Shri Paranjoy Guha Thakurtha but one that has been stated as a "Report on Inspection Conducted in the Kerala State Council for Science Technology & Environment, Pattom"

Hearing of the I.C. dated 13.2.2019

Mr. Sisodia, Senior Counsel appearing on behalf of the State of Kerala states that he has instructions to say that there is no report in regard to the present case by the Government of Kerala. In support of the aforesaid instructions, he has produced before the Inquiry Committee a communication dated 4th February 2019 from the Director, Information & Public Relations Department addressed to the Advocate General, Ernakulam. However, the attention of Mr. Sisodia was drawn to the letter

dated 16.9.2017 of Dr. Bishwanath Sinha, Principal Secretary to Government addressed to the Resident Commissioner, in which it has been stated that **“there is a report in this subject by the Finance Inspection Wing of Government”**.

Letter dated 4.2.2019 received from Counsel for Kerala State

The counsel for Kerala State has presented a letter dated 4.2.2019 at the time of hearing on 13.2.2019 which is addressed to the Advocate General Ernakulam by Deputy Secretary, Mary Laly C.Y. It states that as per records available with Home & Vigilance Department, no inquiry related to allegation of paid news against Hindu Newspaper was conducted by Govt. of Kerala nor such Report was available with the department.

Communication dated 11.4.2019 received from “The Hindu”

Mr. P. Jacob, Senior Managing Editor, The Hindu vide letter dated 11.4.2019 has stated that latest reference has come up after Kerala State Govt. has clarified that its Home and Vigilance Department had no records available with it on any inquiry conducted by Govt. of Kerala concerning allegations of “Paid News” that had been levelled against The Hindu. He has submitted that this clarification is significant because very basis of the start of the proceedings before PCI was an allegation made in an article published in the Web Magazine “The Hoot” in 2015 that the Govt. of Kerala had done such inquiry which alleged that money had been paid for “Infructuous advertisements in *The Hindu*”.

Now, it turns out that no such report existed in the first place. It remains a mystery from where the author of the article that had appeared in the Hoot had reached his conclusions based on the purported report.

The Report prepared by the Finance Inspection Wing of the Govt. deals with a number of alleged irregularities on the part of the Kerala Council for Science, Technology and Environment relating to the appointments made, use of vehicles, expenses towards telephone charges etc. The two advertisement mentioned in the Report were on payment at rates determined by the State Public Relations Department. The reference in the Finance Inspection Wing Report that the amount based on the interest of the management of the newspaper cannot be justified on any ground, appears to be targeted at officials of the KSCSTE. He has submitted that the charges of paid news levelled against its newspaper are in a cavalier manner need to be rejected.

Communication dated 25.5.2019 received from Joint Secretary, Resident Commissioner

Shri N. Jeevan, Joint Secretary/Law Officer, O/o the Resident Commissioner vide communication dated 25.5.2019, while reiterating the development in the case, has submitted that as per the reports received from the Home, Vigilance, Finance and Science and Technology, there was no such inquiry conducted by these departments regarding the “paid news allegations” against The Hindu newspaper.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 27.5.2019 at New Delhi. Shri K. Amarnath, Former Member, PCI, who forwarded

communication regarding publication of paid news by “The Hindu”, appeared in person. Shri Paltav Sisodia, Sr. Advocate and G. Prakash, Advocate for Kerala Govt. represented the State Govt. of Kerala. There was no appearance on behalf of the respondent Editor, The Hindu.

The Inquiry Committee has heard the counsel for the State of Kerala. The respondent newspaper ‘Hindu’ has shown its inability to be present before the Inquiry Committee. The Inquiry Committee has perused the entire record and is of the opinion that on the basis of the available materials, it is not possible to record conclusive finding that the advertisement would come within the category of paid news. 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 decides to dispose of the matter.

PRESS COUNCIL OF INDIA

S. No. 2

F. No. 14/52/17-18-PCI

Shri Harsh Vardhan Singh Bhadhoria,
Retd. Dy. Superintendent of Police,
Noida, U.P.

The Editor,
Dainik U.P. News Express,
Noida, U.P.

Adjudication dated 22.8.2019

This complaint dated 15.05.2017 and 17.05.2017 has been filed by Shri Harsh Vardhan Singh Bhadhoria, Retd. Dy. Superintendent of Police, Noida, U.P. against The Editor, Danik U.P. News Express, Noida, U.P. for allegedly publishing series of false & defamatory news items as detailed herein below:

S.No.	Caption	Date
1.	Gorakh dhando ki kamai se Bhadoria ne karoro kamaye.	28.04.2017
2.	Kya D.S.P. Harshvardhan Bhadhoria ke pas karoro ki sampati banane wala koi vishesh mulmantar hai?	05.05.2017
3.	Kya Rashtarpati padak se beimaan bhi sammanit hote hai?	06.05.2017
4.	Bhadhoria ke kale karnaamo ka khulasa	10.05.2017
5.	Bhadhoria ke kale karnammo par maun kyu hai Yogi Sarkar?	17.05.2017

It has been stated in the news item dated 28.04.2017 that Shri Bhadhoria, who is posted in Noida Authority, indulged in various corrupt business activities and acquired assets worth crores. It has been reported that the complainant alleged to have run a mobile van of food in each sector of Noida and earned crores. It has further reported that Shri Bhadhoria in connivance with the Security Company viz. "Iron Man Security" company posted 1200 security guard in Noida Authority against payment of Rs. 15000 per guard, whereas in fact, Rs.7500 was being paid to each security guard and rest of the amount was shared between Shri Bhadhoria and owner of Security Company.

Series of news items dated 5.05.2017, 6.05.2017, 10.05.2017 & 17.05.2017 reports that D.S.P., Shri Bhadhoria has misused the uniform and power of Police. The complainant, while working with Noida Authority, has illegally acquired land in sector 35(Morana village) worth of crores and built a bungalow. The complainant owns many prominent properties in Noida. Shri Bhadhoria has been thrice awarded with President Medal, which is a matter of proud, but how can a corrupt officer like him is awarded with such a prestigious award.

It is reported that Shri Bhadhoria has earned crores of money not for himself but has also helped his relatives to earn money by corrupt means. Shri Bhadhoria has

submitted duplicate bills to make money and has intervened in various Tender released by Noida Authority by striking deals with the interested parties.

The complainant who owns billions, should be investigated so that other persons like him come under scanner. Many organizations of city have made complaint against Shri Bhadhoria to higher authority but he manages to suppress all such complaints due to his clout with prominent people.

Denying the allegations, the complainant has submitted that impugned news items are false, baseless and published with the intention of blackmailing him. The complainant wrote a letter to editor on 10.05.2017 in this regard but no response has been received. He has requested the Council to take strict action against the respondent editor.

A Show Cause notice was issued to respondent editor on 26.05.2017, but no response has been received so far.

Written Statement

The respondent Editor, Shri Pramod Yadav, vide his letters both dated 14.9.2017 has informed the Council that the complainant while working as C.O. in Authority has allotted parking contract to his relatives. Smt. Seema Sharma and Shri Ramashray Singh Yadav have been allotted the parking contract in Sector 41 and Sector 51 respectively. He has further submitted that Shri Ramashray Singh Yadav under the protection of the complainant has encroached Govt. land in Sorkha village and has benami property. The respondent published the fact in his newspaper. Later, the complainant, Shri Harshvardhan Badhoriya sent Shri Ramashray Singh Yadav to the respondent's office and offered him three lakh rupees for publishing corrigendum for impugned news, when he refused, Shri Ramashray threatened the respondent to kill him and also to implicate him in false cases. After publishing the news in the respondent's newspaper, Smt. Seema Sharma also started abusing the respondent over phone and threatened him of dire consequences. She has also registered a false complaint of kidnapping, firing, and extortion against the respondent editor. He has submitted that the complainant, with the help of Samajvadi party's leader, was appointed as Security Officer and Parking Officer and took illegal possession of Govt. land. Later, Dadri Tehsil Court also imposed a fine of Rs. 26 lakh on the complainant. He has further submitted that the complainant, in his tenure, passed a bill of 50 guards while actual working guards were 10. He has further requested the Council to investigate the matter and take strict action against the complainant.

Further reply received from the complainant

The complainant vide his further reply dated 20.6.2018 has informed the Council that the parking tendors were never allotted by him as he was just a junior officer in the Committee made of High level Officers to provide parking tendors. He has further submitted that the allegations of providing parking on contract of parking lot to Smt. Seema Sharma are baseless as he, after receiving the complaint from Superintendent of Police, Noida, suspended the contract of parking contract allotted to Smt. Seema with immediate effect. He has submitted that he does not have any personal relation with Smt. Seema and Shri Ramashrya. As regards, Shri Ramashrya's parking contract at Sector 02 and 41 in question is concerned, he has submitted that he has allotted parking after due verification of all documents. The complainant submitted that he has never been involved in illegal possession of land as claimed by the respondent editor. The

complainant has further submitted that before publishing the news on 26.4.2017, the respondent editor requested to get him parking tender of Sector 18, Noida, but, the complainant expressed his inability to do so, aggrieved with that the editor started publishing news against him.

A copy of the further reply was forwarded to the respondent vide Council's letter dated 23.7.2018.

Further reply received from the respondent Editor

Shri Pramod Yadav, Editor vide letter dated 27.5.2019 has filed his reply stating that all the news items against Shri Harshvardhan Bhadoriya have been published after due verification. He has submitted that he himself scrutinise the news before publishing it in the newspaper. The respondent has submitted that many investigation agencies have taken cognizance of the matter after publication of news against Shri Harshvardhan Badhoriya and case has been registered by the Anti-Corruption Organisation against him under various sections in the Police Station of Sector 49.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.5.2019 at New Delhi. The respondent is represented by Shri V.K.Singh, News Editor, Dainik U.P. News Express.

Despite service of notice, the complainant has not chosen to appear. The respondent has produced documents in support of the stories published in the newspaper. The Inquiry Committee has perused the complaint, the written statement and all other connected papers and is of the opinion that no action needs to be taken against the respondent for publication of the various stories.

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

S. No. 3

F.NO. 14/83/17-18-PCI

Complainant

Shri Ramashray Singh Yadav,
133B, Sector-12, Noida
Janpad, Gautambudh Nagar
Uttar Pradesh

Respondent

Shri Pramod Kumar Yadav,
The Editor,
Dainik UP News Express,
Sector-35, Noida
Janpad, Gautambudh Nagar, U.P.

Komal Printers,
Chowdhury Market,
Sector-35, Noida
Janpad, Gautambudh Nagar, U.P.

Adjudication dated 22.8.2019

Case Summary

This complaint dated 31.5.2017 has been filed by Shri Ramashray Singh Yadav, Noida, Janpad, Gautambudh Nagar, Uttar Pradesh, against Dainik U.P News Express, for publishing false, defamatory and fabricated news item in its several issues as mentioned below:

Srl no.	Caption	Date	Brief
1.	“भदौरिया के संरक्षण मे राम आसरे पहलवान ने सरोखा गाँव में करोड़ों की ग्राम सभा की जमीन पर अवैध कब्जा कर अवैध निर्माण किया।	10.5.2017	The news items states that Shri Ramashray has illegally seized the Gram Sabha land in Sarokha village under the protection of Bhadoria Former D.G.P.and has constructed buildings in Noida sector 115, Sarokha village. He is also the contractor of the parking slot at Banking ground at Sector 51, Noida, where he charges double the parking fee from people. The report also alleges that Shri Ramashary trains wrestlers to be caretaker of his illegal activities.

2.	“सरकारी संपत्ति पर भी भदौरिया का करीबी पहलवान काबिज	17.5.2017	The news item alleges that Ramashary Wrestler, broker of Governemnt land is flourishing under protection of Bhadoria. Ramashraya use to sell Gas Clyinder has earned crores by charging parking fee more than fix for the purpose. The report also states that after breaking this news regarding the illegal activities of Shri Ramashary, the newspapers have been receiving threats from Shri Ramasharay.
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The complainant has stated that the allegations levelled against him in impugned news item are false and fabricated and he has sent a legal notice dated 14.5.2017, to the editor of the respondent newspaper seeking clarification and a reply. However he has not received any response from the respondent newspaper. He has requested the Council to take appropriate action against the respondent newspaper.

A ShowCause Notice dated 13.6.2017 was issued to the respondent newspaper.

Written Statement

In response to Show Cause Notice, Shri Pramod Yadav, Editor, vide three letters all dated 14.9.2017 has informed the Council that the complainant and Smt. Seema Sharma were allotted parking contract in sector 41 and 51 respectively. He has further submitted that the complainant with the protection of Shri Harshvardhan Badhoriya has encroached Govt. land in Sorkha village and made one of his relatives fake owner of the same land. This was published in his newspaper. He has further submitted that Shri Harshvardhan Badhoriya sent the complainant to his office and offered Rs. three lakh for writing corrigendum in the newspaper. When he refused the offer, the complainant threatened to murder him and to implicate him in false cases. He has further requested the Council to examine the phone details of the complainant, Shri Ramashray Singh Yadav, so that truth can come out.

A copy of the Written Statement has been forwarded to the complainant on 26.12.2017 however received no response.

Further reply from the respondent Editor

Shri Pramod Yadav, Editor vide letter dated 27.5.2019 has further submitted that the news items against Shri Ramashray Singh Yadav have been published after due verification. He has submitted that he himself scrutinise the

news before publishing it in the newspaper. He has further enclosed a few documents in support of his contention.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.5.2019 at New Delhi. The respondent is represented by Shri V.K.Singh, News Editor, Dainik U.P. News Express.

Despite service of notice, the complainant has not chosen to appear. The respondent has produced documents in support of the story published in the newspaper. The Inquiry Committee has perused the complaint, the written statement and all other connected papers and is of the opinion that no action needs to be taken against the respondent for publication of the various stories.

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

S.No. 4

F.No. 14/205/17-18-PCI

Complainant

Smt. Seema Sharma,
W/o Shri Bharat Bhushan,
Village – Barola,
Sector – 49, Noida.

Respondent

The Editor,
U.P. News Express,
Komal Printers Chaoudhary
Market, Sector – 35, Noida,
District – Gautambudhh Nagar,
Uttar Pradesh.

Adjudication dated 22.8.2019

Facts:

This undated complaint has been filed by Smt. Seema Sharma against the Editor, U.P. News Express alleging publication of false, baseless, fabricated news item in its issues dated 18.07.2017 and 25.07.2017 under the captions “खाकी की संरक्षण में पोषित सीमा शर्मा के अवैध कारोबार” and “मेरे या भदौरिया साहब के खिलाफ खबर प्रकाशित की तो परिणाम बुरा होगा :सीमाशर्मा ”respectively.

It is reported in the impugned news items dated 18.07.2017 and 25.07.2017 that Ms. Seema Sharma, District Secretary of women cell of Samajwadi party came in contact with Shri Bhadauriya and helped him in his illegal acts and in return she got parking contract of Sector 41 market, Noida. It is further reported in the news item that due to her political connections and protection from Shri Bhadauriya she has opened dozens of legal and illegal shops there. It is also reported in the news item that she has encroached a Government land in Barola and has done illegal construction on it. It is also reported that she has threatened the respondent to file a false case against him and used casteist words for him.

The complainant vide her letter dated 28.06.2017 drew attention of the respondent towards the impugned news item and requested to publish the rejoinder, but received no response.

A Show Cause Notice was issued to the respondent editor on 13.09.2017.

Written Statement

Shri Pramod Yadav, Editor vide letter dated 27.5.2019 has filed his reply stating that impugned news against Smt. Seema Sharma have been published after due verification. He has submitted that he himself scrutinise the news before publishing it in the newspaper. He has further enclosed a document dated 16.10.2017, received from New Okhla Industrial Development Authority w.r.t. information sought by him under the RTI Act, 2005 which shows that there has been no tender of allotment of parking in Sector 41 ,50 & 51 from 2012 to 2017.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.5.2019 at New Delhi. Smt. Seema Sharma appeared in person and the respondent is represented by Shri V.K. Singh, News Editor, Dainik U.P. News Express.

The Inquiry Committee has heard the complainant and the representative of the respondent newspaper and has perused the complaint and other connected papers. The complainant states that she was given tender in accordance with the law and the story published by the respondent newspaper that she is doing illegal business is incorrect. The respondent has produced before the Inquiry Committee the papers showing that no tender was issued for the work given to the complainant. The Inquiry Committee is of the opinion that the respondent has basis for publication of the news.

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

S.No. 5

F.No. 14/500/16-17-PCI

Complainant

Capt. Makar B Limbu,
Managing Director,
Yakthung,
Darjeeling, West Bengal.

Respondent

The Editor,

Himalaya Darpan
Siliguri

Adjudication dated 22.8.2019

Facts:

This complaint dated 18.1.2017 has been filed by Capt. Makar B. Limbu, Managing Director, Yakthung, West Bengal, against the editor, Himalaya Darpan (Nepali Daily) for allegedly publishing misleading and malicious news article under the caption: “**Royal FC in Second Place**” (English translation) in its issue dated 5.1.2017.

As per English translation provided by the complainant, it has been reported in the impugned item that the 12th Sukuna Gold Cup Football tournament organized by Sukuna Games and Sports Association from 4th January, 2017 was played between Royal FC and Kerseong, where Kerseong was defeated by Royal FC by 3-0 and qualify for second round. It is also reported in the impugned item that Mr. George Mahabert, Director of Mahabert School was invited and present as a President and GTA Deputy Chief Col. Ramesh Allay was present as Chief Guest in opening of 12th Sukuna Gold Cup Football Tournament.

The complainant submitted that the respondent published a misleading and malicious news article along with photograph stating that Mr. George Mahabert, Director of Mahabert School was not even present at the event i.e. inaugural day of 12th Sukuna Gold Cup Football Tournament. The complainant submitted that he was chosen as Presiding Officer (President) of the ceremony/occasion unanimously. The complainant further submitted that he looked after the whole occasion viz. Flag hoisting, passing out parade, declaring the game to open, and distribution of the prizes and reception of prominent guests. The complainant also submitted that the respondent (Himalaya Darpan) was the media partners of Sukuna Games and Sports Associations as such every detail of the event is bound to be known/recorded by them.

The complainant vide letter dated 18.1.2017 drew the attention of the respondent towards the impugned publication and requested them to publish the correct news and apology to the public in the front page, but no response has been received.

No Written Statement

A Show Cause Notice was issued to the respondent Editor, 'Himalaya Darpan, Siliguri on 9.3.2017, but received no response.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 27.5.2019 at New Delhi. There was no appearance on behalf of the Complainant.

Despite service of notice, the respondent has not chosen to appear.

It is the allegation of the complainant that Mr. George Mahabert, Director of Mahabert School did not attend the 12th Sukuna Gold Cup Football Tournament organized by Sukuna Games Sports Association, but the newspaper has falsely stated that he was present. Further allegation of the complainant is that he drew the attention of the respondent newspaper about the aforesaid mistake and requested them to publish the correct news but they have not chosen to do so.

In the facts and circumstances of the case, the Inquiry Committee directs the respondent newspaper to publish the corrigendum within four weeks. The Inquiry Committee recommends for disposal of the complaint with the aforesaid directions.

Held

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

Press Council of India

S.No 6

F.No.14/213/18-19-PCI.

Complainant

Shri Shri Kant Rai,
Secretary General,
N.T.P.C. Executives' Federation of India,
Badarpur,
New Delhi.

Respondent

The Editor,
Union Territory Independent,
New Delhi.

Adjudication dated 22.8.2019

Facts

This complaint dated 14.6.2018 has been filed by Shri Shri Kant Rai, Secretary General, N.T.P.C. Executives' Federation of India, New Delhi against "Union Territory Independent", New Delhi for allegedly publishing false and defamatory article under the caption "**NTPC Paralyzed?**" in its issue dated May 16-31, 2018.

It has been reported in the impugned article that the CMD, NTPC fears bold decision and nervous on several occasions. A serious allegation is being levelled against CMD, Shri Gurdeep Singh that he is hobnobbing with few of the private power companies including Adani Power. The reason is that Singh got the top post due to blessing from Gujarat based industrialists and a PIL has been filed by an NGO. It has been further reported that a junior officer has been appointed overlooking the legitimate claims of senior officers raises suspicion in the mind of people concerned. Since the overall efficiency and profitability of NTPC is gradually going down, it is believed that such things are happening as inefficient technocrat was appointed to head the NTPC. It has been also reported that no transparency in the selection process was observed as the name of the shortlisted candidate was not declared on the date of interview.

Denying the allegations levelled in the impugned article, the complainant has alleged the impugned article is totally false and published with a view to tarnish the image of NTPC and its Chairman. According to the complainant, the CMD is deeply passionate about ensuring the holistic development of all the employees. He has aimed to enable his employees to be a family of committed world class professionals making NTPC a learning organization. The complainant has further submitted that the CMD is an honest and hardworking visionary leader and under the leadership of present CMD, the NTPC has touched new heights.

The complainant vide letter dated 7.6.2018 drew the attention of the respondent towards the impugned article with a request to publish rebuttal of the same in the next edition but received no response.

No Reply

Show-cause notice was issued to the respondent-Editor, Union Territory Independent, New Delhi on 27.7.2018 but no reply has been received despite issuance of Reminder dated 21.12.2018.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.05.2019 at New Delhi. Shri Shri Kant Rai, Secretary General, NTPC Executives Federation of India(complainant) appeared in person. There was no appearance on behalf of the respondent Editor.

The Inquiry Committee has heard the complainant and has perused the record. It is the allegation of the complainant that story published in the newspaper is not based on facts. The complainant, if so, desires may give his version to the respondent newspaper within 4 weeks. The complainant doing so, the respondent shall publish the same within 2 weeks thereafter. The Inquiry Committee disposes of the complaint with the aforesaid directions.

Held

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

Press Council of India

S.No. 7

F.No.14/435/18-19-PCI.

Complainant

Shri M.P. Nathanael,
Consultant (Public Relations),
National Council of Educational
Research and Training (NCERT),
New Delhi.

Respondent

The Editor,
Greno Express,
Gautambudh Nagar (U.P.).

Adjudication dated 22.8.2019

Facts:

This complaint dated 14.11.2018 has been filed by Shri M.P. Nathanael, Consultant (Public Relations), National Council of Educational Research and Training (NCERT), New Delhi against "Greno Express", Gautambudh Nagar for allegedly publishing a false, baseless and derogatory news item in its issue dated 8.10.2018 under the Caption "एनसीईआरटीकी ई-टेंडरिंग में हुआ बड़ा घोटाला - घोटाले का आरोप एनसीईआरटी के डायरेक्टर पर".

It has been reported in the impugned news item that a scam in NCERT's e-tendering for purchase of educational kits has come to light. The Director of NCERT with connivance of senior officials issued e-tenders illegally to four private companies of Gujarat which were not eligible for e-tendering. It has been further reported that earlier tenders were issued only to eligible companies but suddenly in 2016 the Director of NCERT for personal gains with the connivance of other officers illegally gave tenders to those four companies of Gujarat which did not qualify for this work. These four companies of Gujarat are (i) Title Display System Pvt. Ltd. (ii) Nirman Multiart Pvt. Ltd. (iii) Mit Enterprises and (iv) Sujako Interiors Pvt. Ltd. These companies work only for making furniture and have no work experience of NCERT's educational kit. It has also been reported that on August 3, 2018, the NCERT again extended tenders to these four companies of Gujarat whereas as per rule tender could not be extended. In this regard, eligible companies complained to the Ministry of Human & Resource Development, PMO and CBI but no action was taken.

Denying the allegations levelled in the impugned news item, the complainant has alleged that the respondent published false, baseless news item and thereby tarnished the image of the NCERT. He has stated that on 4.8 2017 the tenders were issued to 17 eligible companies from all over India in accordance with NCERT's criteria which was duly approved by its Committee and as per provision of Chapter 2 of Section 6 of Tender, the tenders were extended to the companies.

The complainant has submitted that a rejoinder was sent to the respondent newspaper by an email on 9.10.2018 and hard copy of the same was handed over to

them on 3.11.2018 but they have not published the rejoinder. He has requested the Council to take necessary action against the respondent.

No Written Statement

Show-cause Notice was issued to the respondent-Editor, Greno Express, Gautambudh Nagar on 30.1.2019 but no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.5.2019 at New Delhi. The complainant is aggrieved by the news item published in the respondent newspaper in its issue dated 8.10.2018. The complainant appears in person. Despite service of notice, the respondent has not chosen to appear nor has filed any reply. It is the assertion of the complainant that similar kind of story was published in another newspaper and when the complainant gave clarification, same was published in that newspaper. The complainant further states that he has sent the clarification to the respondent newspaper by post and also by mail but the respondent had not chosen to publish the same. In the absence of any reply from the respondent, the Inquiry Committee accepts the assertion of the complainant that he had given its version to the respondent newspaper and it has not been published.

The Inquiry Committee directs the respondent newspaper to publish the clarification given by the complainant within 6 weeks. In case the respondent newspaper does not publish the same, the complainant is given liberty to bring it to the notice of the Council. The complaint is accordingly disposed of with the aforesaid direction.

Held

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

Press Council of India

S.No. 8-9

File No.14/374-375/18-19-PCI.

Complainants

Dr. Sudhakar Singh,
Bachpan Hospital,
Lucknow (U.P.).

Respondents

The Editor,
Hindustan,
Lucknow (U.P.).

The Editor,
Navbharat Times,
Lucknow (U.P.).

Adjudication dated 22.08.2019

Facts

This complaint dated 11.10.2018 has been filed by Dr. Sudhakar Singh, Bachpan Hospital, Lucknow (U.P.) against (i) Hindustan and (ii) Navbharat Times for allegedly publishing baseless, misleading and defamatory news items under the caption “नाक में नली डालने में लापरवाही, बच्चा गंभीर” and “पैसे वसूलने के लिए वेंटिलेटर पर रखा” respectively in their issues dated 20.9.2018.

It has been reported in the impugned news items that allegation of negligence in the treatment of a child has been levelled against the doctors of Bachpan Hospital. A resident of Gayatri Nagar, Shri Harish Gupta went to the clinic of Dr. S.K. Singh for checkup of his son. Doctor admitted the child in his Bachpan Hospital situated at Jankipuram in order to conduct some medical tests. It has been further reported that despite normal reports, the child was shifted to ventilator. Father of child deposited Rs.56,000/- in the hospital and had got done tests worth Rs.30,000/- from outside and thereafter hospital further demanded Rs.25,000/-. When the parents asked them for shifting the child to another hospital, Dr. S.K. Singh and the staff started misbehaving with them. A complaint in this regard has been filed on the portal of the Chief Minister.

Denying the allegations levelled in the impugned news item, the complainant has informed that the parents of the child patient came to his clinic (Bachpan Hospital) on 15.9.2018 for check-up. Since the condition of the child was very serious and there was a doubt of Pneumonia, he advised them to take the child K.G.M.U. but they requested him to admit the child in the hospital. The complainant has further informed that due to child's critical situation he was shifted to ventilator after consent of his parents. They saved the child and the parents were also satisfied. The complainant has stated that on 19.9.2018, the parents and their relatives approximately 70-80 people gathered in the ICU of the hospital and started shouting and creating obstacle in treatment of the patients. When the staff of the hospital tried to stop them, they started misbehaving with them and threatened to kill. The complainant has alleged that the respondents published baseless and misleading news due to which his image has been damaged.

The complainant wrote to the respondents on 22.9.2018 requesting them to publish his version and also take action against the concerned reporter but to no avail. The complainant also wrote to the SHO, Jankipuram, Lucknow requesting him to shift the patient to KGMU and take action against the respondent-newspapers.

No Reply

Show-cause Notices were issued to the respondent-Editors, Hindustan and Navbharat Times, Lucknow on 12.11.2018. The Notice issued to the Editor, Navbharat Times was received back undelivered from the postal authorities with the remarks “प्राप्तकर्ता का पता नहीं चला-अतः वापिस”.Therefore, vide Council’s letter dated 19.12.2018, the District Collector, Lucknow was requested to serve the Notice through their serving agency under intimation to the Council but received no reply.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.05.2019 at New Delhi. Despite service of notice, neither the complainant nor the respondent has chosen to appear.

In complainant’s absence, the Inquiry Committee is not inclined to proceed with the matter. The Inquiry Committee accordingly recommends for the disposal of the complaint.

Held

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

Press Council of India

F.NO. 14/376/17-18-PCI

S. No. 10

Complainant

Shri Sanjiv Pariya, Advocate
Secretary of Bar Association, Fatehgarh
Cant. Fatehgarh
Janpad, Farukhabad, U.P.

Respondent

The Editor
Youth India
Farukhabad, U.P.

Adjudication dated 22.8.2019

Facts:

This complaint dated 30.10.2017 has been filed by Shri Sanjiv Pariya, Advocate, Secretary of Bar Association, Fatehgarh, Cantt. Fatehgarh, Farukhabad, against the editor of Youth India for allegedly publishing a series of objectionable, baseless, false and defamatory news item not only against the complainant but also against other reputed persons of Fatehgarh.

The complainant alleges that Shri Sharad Katiyar, editor, Youth India, in the garb of journalism has been publishing untrue and defamatory news items against reputed persons of the society in order to extort money. Publication of such defamatory news items continues until Mr Katiyar's monetary demands are fulfilled, which is violation of the journalistic norms. This malicious practice of Mr Katiyar, blackmailing people for money is regular, claims the complainant. Since 2015, editor, Youth India has published hundreds of defamatory news items targeting different individuals and in few, defamation case has been filed against him and Court has given order against him. Even after that Mr Katiyar chooses to continue publication of such defamatory news items against individual ignoring Court's direction. List of alleged impugned news items are stated below.

Sl. No.	Dated	Caption
1.	11.7.2017	भू माफिया वकील-संजीव पारिया के काले कारनामो मे सहयोगी रहे पूर्व प्रभारी जिला जज भूपेंद्र सहाय का मामला, उच्च न्यायालय ने लिया संज्ञान यूथ इंडिया के संपादक शरद कटियार ने चीफ जस्टिस से की थी शिकायत।
2.	26.8.2017	सम्पादक समर्थक महिलाओ ने पारिया को शरद कटियार की गिरफ्तारी केलिए पीटते पीटते छोड़ा, चैंबर में दुबका सुबोध संग डी.जी.पी से मिले थे मेजर
3.	12,9.2017	सम्पादक शरद कटियार को परेशान करने के लिए न्यायालय के लिपिकों को धमका रहे हैं वकील संजीव पारिया, विद्वान अधिवक्ताओ में आक्रोश
4.	14.10.2017	संपादक शरद कटियार पर भी माफिया वकीलो द्वारा झूठे बलात्कार का मुकदमा दर्ज करने का आदेश करने वाला जज बर्खास्त

5.	24.9.2017	जैसी करनी वैसे फल विद्वान अधिवक्ताओं ने विपनेश को दौड़ा दौड़कर पीटा, संजीव पारिया उल्टे पैर भागने को मजबूर
6.	24.9.2017	संजीव पारिया ने आखिर अपनी काली करतूतों के बल पर जिला बार एसोसिएशन के अध्यक्ष विपनेश सक्सेना को भरी कचहरी दौड़ा दौड़कर पिटवा ही दिया।
7.	26.10.2017	आखिर जिला बार एसोसिएशन चुनाव के समय ही संजीव पारिया क्यों करते हैं वरिष्ठ विद्वान अधिवक्ताओ साथ अभद्रता और मारपीट ?
8.	Not mentioned	ढोंगी हैं संजीव पारिया उनके भाई कायस्थ नेता आशीष पारिया मेरे अधिकवक्ता पुत्र अंकुश सिंह का करायाउत्पीड़न

According to the complainant, contents published under the given headings of the news items are totally false, baseless and defamatory. The complainant further submitted that Mr Katiyar in connivance with his opponents conspired against the Secretary, Bar Association to harm him and subsequently published impugned news reports in his Daily.

The complainant added, on 26.10.2017 and 27.10.2017, notices were issued to the editor of Youth India which have been received by him but, no response has been received. The complainant has therefore requested the Council to take necessary action against the respondent paper.

Reply Filed by the Respondent

In response to the Show Cause Notice dated 24.1.2018, the respondent editor in his written statement dated 5.3.2018 stated that the complaint filed by complainant is false, baseless and liable to be dismissed.

The respondent submitted that the news items were published in good faith and awareness of the people. No misbehaviour has been inflicted on anybody by him infact he has submitted that the complainant being an influential person had tried to harm him by filing false complaint against him. He further informed that the complainant is accused of grabbing lands illegally from poor people thus several FIRs are lodged against him. In past, the complainant with his peer group has filed false case under Defamation Act. With reference to the alleged impugned news item dated 24.10.2017, the respondent submitted that he did not conspire to attack the Secretary, Bar Association as that time he was undergoing detention in some false case filed against him. The impugned news was not only covered by Youth India but other Dailies too, so it is not atargeted news. He requested the Council to withdraw the Notice.

A copy of the written statement forwarded to the complainant on 5.4.2018

Counter comments of Complainant dated 8.5.2018

Vide Counter Statement dated 8.5.2018, complainant informed the Council that the facts submitted in the written statement by the respondent are completely false, misleading and baseless. He further submitted that the respondent in connivance with his female supporters had tried to cause harm to him and he apprehends his life in danger as they can attack him any time. Therefore in the report dated 12.9.2017, the complainant states that he never threatened any Court Clerk in past, thus the same report is false and a mere accusation that has been published in the paper intending to defame the complainant. He also states that the litigations against him that has been referred to by the respondent and his wife are already

settled and has no connection to this complaint. He added that inspite of being censured by Council's Order dated 21.9.2017 the respondent continues to publish news items in his newspaper. The complainant has therefore requested the Council to take strict action against the respondent.

A copy of the counter comments forwarded to the respondent on 5.4.2018

Communication dated 7.2.2019 received from the complainant

The complainant, Shri Sanjiv Pariya vide letter dated 7.2.2019, while reiterating his submission has submitted that if the Inquiry Committee wants to call him for hearing, he may be called for the hearing on other date while the respondent Editor on another as there is danger to his life from the respondent Editor. Further he has requested the Council to adjourn the matter.

Communication dated 28.5.2019 received from the respondent Editor

The respondent Editor, Dainik Youth India vide his letter dated 28.5.2019 has submitted that the complainant, Shri Sanjiv Paria, who has been Secretary of Fategarh Bar Association for last 13 years, has once again won the election under the influence of power and become Secretary. He has submitted that on 9.2.2019, Hon'ble Bar Council has debarred the complainant from practising the law for 10 years. The respondent submitted that all the news published against the complainant was based on the facts.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 28.5.2019 at New Delhi. The Complainant has filed an application seeking adjournment of the case on the ground of his illness. On several occasions earlier also he did not appear. In one of the dates fixed for hearing of the case, the complainant made an unusual prayer to hear the case on a date when the respondent is not present. Said prayer was rejected earlier. The respondent, Mr. Sharad Katiyar is present in person.

In the absence of the complainant, 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 decides to dispose of the complaint.

Press Council of India

S. No. 11

F.NO. 14/27/18-19-PCI

Complainant

Shri Anand Bhan Sakhya
Editor, FVD News.Com
Farukhabad, U.P.

Respondent

The Editor
Youth India
Farukhabad, U.P.

Adjudication dated 22.8.2019

Facts:

This complaint dated 3.4.2018 has been filed by Shri Anand Bhan Sakhya, Farukhabad, U.P. against the editor, Youth India, Farukhabad, U.P. for allegedly publishing a series of objectionable and defamatory news against the complainant in its issue, since 2015, captioned as below:

Sl.no.	Caption	Dated
1.	Haspatal sanchalak se rangdari mang raha tadhi bikreta anand urf ananda de raha jhute mukademma me fasane ki dhamki.	17.3.2018
2.	Farji portal sanchalak jiladhikari ki kar raha kirkiri	2.1.2018
3.	Kathit patrakartadhi bikreta anand bhan urf ananda ke khilaf D.M. sakth	3.1.2018
4.	Portal sanchalak Anand Bhan Sakhya ki mansek stith kharab: Prince.	13.4.2017
5.	Shigri print ebang electronic journalist association se Anand ki hogi chutti: Vinay Kusbah	1.9.2017
6.	Blackmailer portal sanchalak Anand ko partokaro ne sangathan se kia bahar.	3.9.2017
7.	Pehle Patrakaro ne nakara fir rashtriya adhyask bhi Anand ko hatane ka de di asandesh	19.9.2017
8.	Purb SP se ranjis ke chalte bhadas nikal raha abedh portal sanchalak Anandbhan	23.10.2018
9.	Purb SP ke kilaf saryantra main jutay dalal tantric Awadesh ne abyedh portal sanchalak Anandbhan ka lia sahara	24.10.2016
10.	Galat samachar chapne par Anandbhan	27.10.2016

	nyayalaya me talab, ho sakti hain jail	
11.	Portalwala nahiho sakta media karmi: Mishra	4.11.2015
12.	Portal Sanchalak ne Adhi-Soochna Adhikar ke khilaf di juthgi tehrir.	9.11.2015
13.	Kathit patrakar ne soochna adhikari fir nisana sadha	5.11.2015
14.	Ganga-Jamuna tehjib ko bigarne par tula portal sanchalak	6.11.2015

The above mentioned news items reports that owner of an illegal portal is engaged in money extortion from the Hospital Superintendent and unnecessarily defamed the authorities. The news report states that Mr Anandbhan is trying to cover up all his illegal activities including illegal sale of alcohol by running a portal because of which he has been outcasted from the Journalist Association and a case is in the Court in which he might get sentenced to jail.

The complainant stated that all the allegations made against him in the news items are false and was published with malafide intention to defame him. Giving reference to the report which alleges that a fake portal is being run by the complainant is claimed as untrue as the portal- afvnews.com, has got the permission of the Chief Minister to cover the election and he is a recognized journalist.

According to the complainant, the respondent editor is an habitual blackmailer who targets individual to extort money. If demands are not fulfilled, the respondent editor publishes defamatory news item against the person and when his demands are fulfilled he stops writing against him. Vide letter dated 24.3.2018, complainant wrote to the editor of the respondent newspaper asking to publish clarification, but, did not receive any response. Instead, the respondent newspaper published another alleged defamatory news item captioned "Mujhay dagi vakilo ne gumrah kar portal par dalwai galat khabre patrakar meray sathi - Anandbhan Sakhya" in its issue dated 1.4.2018.

The complainant requested the Council to take necessary action in the matter.

Reply Filed by the Respondent Editor

In response to the Show Cause Notice dated 1.5.2018, Editor, Dainik Youth India, vide letter dated 31.5.2018 submitted his written statement, in which he submitted that the complainant acted as per the direction of Advocate Awadesh Mishra, who happens to be the opposition party candidate against the respondent editor Mr Katiyar. The respondent claims that the alleged news items were published in goodfaith and in public interest.

Referring to the Notice issued by the complainant to him the respondent submitted that the news items were published in connection to Shri Mahendra Kumar Gupta a renowned Social Worker of Janpad, Farukhabad. Mr. Gupta was honored by Hon'ble Chief Minister and Secretary, Samachar Kalyan Seva Samiti, in the past. The complainant attempted to extort money from Mr Gupta and on non-fulfillment of his demands, Mr Sakhya published objectionable/disrespectful news items against Mr Gupta in his news portal - fvdnews.com. Thus to bring the true side

of the story, the respondent published the report on 17.3.2018. In addition, the respondent submitted that Mr Sakhya uses his portal to blackmail and extort money from innocent people, and a case has been filed against him at Mohammadbad P.S. by District-in-Charge, Information Department, Shri Puran Chandra Mishra, in which Mr Sakhya was even arrested. Also, the complainant is one of the accused in a case filed under SC/ST Act which is ongoing. In another matter the complainant had misbehaved with the D.M. Smt. Meneka Rani and published objectionable item in his portal, against which the D.M. gave warning to him and thereby, truth was published by Youth India.

The respondent informed the Council that because of his bad character and poor reputation in the profession of journalism, Mr Sakhya was dismissed from his post of Print and Electronic Journalists Association and even his portal is not a registered one. It has also been claimed that Mr Sakhya wanted to extort money from the respondent editor and as he could not succeed in his ill-motive, he started publishing false stories about Mr Katiyar in his portal.

The respondent editor requested the Council to investigate the matter and take necessary action and retract the Show Cause Notice.

Communication dated 23.8.2018 & 28.8.2018 received from the respondent Editor

The respondent Editor vide communications dated 23.8.2018 and 28.8.2018, while submitting additional papers in support of his case also stated that he has already filed the Written Statement on 31.5.2018. He further submitted the complainant has filed this complaint with the connivance of his opponents which is baseless and is in the habit of extortion and he was also asked to give huge amount of money. As he refused to give money, the complainant filed the complaint. The respondent editor averred that all the news published against him is true and based on the facts.

The copies of the aforesaid communications were forwarded to the complainant vide Council's letter dated 20.9.2018.

Communication dated 27.8.2018 and 8.2.2019 received from the complainant

The complainant vide Counter Comments dated 27.8.2018, received in the Council on 12.2.2019 has submitted that all the allegations made against him in the news items are false and published with malafide intention to defame him. Giving reference to the report which alleges that a fake portal is being run by the complainant is claimed as untrue as the portal- afvnews.com, has got the permission of the Chief Minister to cover the election and he is a recognized journalist. He has submitted that the respondent, Shri Sharad Katiyar is of criminal nature as there are 14 cases pending against him and had been behind the bars. He has further submitted that he was not removed from the designation of District President but it was falsely published in the newspaper by the respondent Editor. The allegations of extortion and report related to rape of a woman and murder of her husband against him are false and no such complaint is registered against him. He has further requested the Council to cancel the registration of the respondent Editor so that he could not publish such news.

The complainant vide another letter dated 8.2.2019 has submitted that the respondent Editor is trying to put pressure on him to withdraw the complaint. Earlier

also before the date of hearing, the respondent Editor published the news against him. He has further submitted that it is now being difficult to appear before the Inquiry Committee.

The Copy of the said communications have been forwarded to the respondent Editor on 15.3.2019.

Communication dated 28.5.2019 received from the respondent Editor

Shri Sharad Katiyar, Editor, Dainik Youth India, vide letter dated 28.5.2019 has submitted that the complainant, Shri Anand Bhan Shakya, is the Editor of alleged News Portal and expert in spreading misleading news. The complainant assaults people if he does not receive a huge amount of money in place of not publishing news against them.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 28.5.2019 at New Delhi. The Complainant has filed an application seeking adjournment of the case on the ground of his illness. On several occasions earlier also he did not appear. In one of the dates, fixed for hearing of the case, the complainant made an unusual prayer to hear the case on a date when the respondent is not present. Said prayer was rejected earlier. The respondent, Mr. Sharad Katiyar is present in person.

In the absence of the complainant, 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 decides to dispose of the complaint.

Press Council of India

S.No. 12

F.NO. 14/163/17-18-PCI

Complainant

Shri Awadhesh Mishra
Advocate
PalibalGali Babar Road Bholaypur
P.S.- Fatehgarh
Janpad, Farukhabad, Uttar Pradesh.

Respondent

Shri. Sharad Katiyar
Editor/Publisher
Youth India
Farrukhabad, Uttar Pradesh

Adjudication dated 22.8.2019

Case Summary:

This complaints dated 9.7.2017 and 24.8.2017 have been filed by Shri Awadhesh Mishra, Advocate, Janpad, Farukhabad, Uttar Pradesh against the editor of "Youth India", for allegedly publishing several untrue, degrading and humiliating news items against him.

The complainant has stated that the respondent editor, Mr Sharad Katiyar has been publishing objectionable, degrading and untrue news items against him since 2015. He has accused the paper of using offensive language for his spouse in the news item. The complainant has further informed that in past too the complainant had filed complaint against the editor of Youth India for publishing objectionable news items and even after the decision of the Council dated 20.6.2017 the respondent newspapers disregarding the directions of the Hon'ble Council and has been continuously publishing series of derogatory news items in its issues dated 21.06.2017, 25.06.2017, 27.06.2017, 29.06.2017 and 30.06.2017 and even has mentioned Press Council of India in those news items. Gist of objectionable news items is given herein below:

Sl. No.	Brief of the news items	Caption	Dated
1.	Shri Awadhesh Mishra is trying to implicate Policemen in fraudulent litigation who were trying to investigate the matter of an old couple Shri Surendra Pal and his wife.	Bujurg dampattiyo ko dabang se nyay dilane wale police officer ke khilaf Nyayalay me dalwaya jhuta mukadamma, thana divas par S.P. ne karai thi karwai". <i>Fraudulent litigation has been filed against the police officers who helped the old couple to get relief, on the anniversary day of Police Station S.P.gave order to investigate the matter</i>	19.6.2017

2.	This news item states that tantric and infamous agent of police Mr Awadhesh Yadav attempted to mislead Press Council of India and innocents have been sent to jail. Mr Awadhesh Yadav and his wife have implicated few social workers in false rape cases.	Press Council me Police ki dalal wakil Awadhesh Mishra ne pesh ki dalile toh jabab main sachai jan jaj committee dang, gaye the dabango ko karne mahima mandith. <i>Police agent Adv. Awadhesh Mishra presented the facts before the Press Council's Inquiry Committee, the Inquiry Committee was surprised hearing the respondent.</i>	21.6.2017
3.	Using his tantric power infamous advocate Awadhesh Mishra is controlling innocent social workers and have implicated them in fraudulent litigation of rape charges.	Kukhyat wakil Awadhesh Mishra ne swatantra kar ab farji balatkar main yuvako ko fasaya <i>Infamous Advocate Awadhesh Mishra has implicated youths in false rape cases.</i>	25.6.2017
4.	This news item states that Advocate Awadhesh Mishra has misutilized crores of money and whoever had tried to oppose him, had been harassed with fraudulent litigations. The news item also states that Advocate Awadhesh is using to shield himself with fraudulent charges of rape and cheating people, and misusing the innocent people of the society.	Vakil Awadhesh dalali ki dam par kiye crore ro ki waranyare, kyaa ab Yogi Sarkar kasegi shikanja. <i>Advocate Awadhesh Mishra has misutilized crores, will the Yogi Government take any action?</i>	27.6.2017
5.	This news item states that the group comprised of land mafia Advocate Sanjeeb and his friend Advocate Awadhesh Mishra is having a rift in their gang. They are creating pressure on the people and capturing lands from innocents and are even approaching the Court in fraudulent manner if their demands are not satisfied.	Dabang bhu mafia wakil Sanjeeb ve uske dalal saathi wakil Awadhesh Mishra ka group ab apne i sathio ki jaan ke dushman banay. <i>Infamous Adv. Sanjeeb and his associate Advocate Awadhesh Mishra are having a rift and both have turned to each others enemy.</i>	29.6.2017
6.	This news item states that infamous agent of Police Advocate Awadhesh Mishra	Police ka kukhyat dalal tantric wakil Awadhesh Mishra bana adhiwakta Rajeeb Bajpai ki	30.6.2017

	has turned into an enemy to Attorney RajeebBajpai and even had conspired to kill him. Mr Mishra using his skills have tried to mislead and misuse the police, journalists for his own benefit.	jaan ka dushman, hatya karane ki rachayi sajish. <i>Infamous Advocate Awadhesh Mishra has now become the worst enemy to Attorney RajeebBajpai, and had conspired to kill him.</i>	
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He has also intimated in his complaint that a letter has been written by him to the editor of the respondent newspaper on 21.8.2017 asking him to publish a clarification against the impugned news items but have not received any response.

The complainant has, therefore, requested the Council to take strict action against the Editor, Youth India as also the newspaper Youth India.

Reply Filed by the Respondent

In response to the Show Cause notice, Youth India vide its letter dated 5.10.2017 has filed the written statement submitting that he is undergoing term of imprisonment in District Jail for non-bailable offence under Section 307, 504 and 506. The respondent claims that the Advocate Shri Awadhesh Mishra is trying to mislead the Council by filing the present complaint and also they have not received any direction from the Council after Council proceedings held on 20.03.2017 and hence they have not contravened any direction of the Council. He has also denied receiving of any Notice from the complainant as mentioned in the complaint and giving reference to the complainant's complaint dated 24.8.2017 stated that the Declaration submitted by the complainant is false as Advocate Shri Awadhesh Mishra has already filed a case against him in Kotwali Fatehganj, Janpad, Farukhabad. The respondent further submitted that the alleged news items were published by Youth India after proper verification and it is because the editor has dared to publish the truth of Advocate, ShriAwadhesh Mishra, he has filed false complaints against him to suppress his voice. All the allegations levelled against him are false. Also this matter has already been heard in past by the Council, hence filing same complaint again and again, is nothing but misleading the Council and wasting Council's time and hence this Show Cause Notice may be withdrawn.

Further, giving reference to the grievance of the complainant for alleged publication of degrading and defamatory news items against him in Youth India, the respondent has stated that the news covers the statement given by some learned spokespersons. Further, giving reference to the news item dated 19.6.2017 captioned "*bujurg dampattiyo ko dabang se nyay dilane wale police officer kekhilaf Nyayalay me dalwayajhutamukadamma, thana divas par S.P. ne karai thi karwai*", the respondent claims that it has published the grievance of an elderly lady Smt. Kanti Devi and likewise all the news items that were published, state true facts about Advocate Awadhesh Mishra.

The respondent further claims that because of fraudulent litigation filed by Adv. Mishra, he is sentenced to jail and is in District Jail, Fatehgarh, Farukhabad, since 20.8.2017. A bail application is under consideration at the Hon'ble High Court

of Allahabad. Hence, the respondent pleads that the complaint of Adv. Awadhesh Mishra may be heard by the Council on a date when both parties are present.

Counter Statement of the complainant

The complainant vide its letter dated 17.10.2017 has submitted his counter statement in which the complainant states that Mr Sharad Katiyar misuses the press and regularly blackmails people threatening them of publishing objectionable and degrading news items to extort money from them. Mr Katiyar continues publishing such inappropriate news items against his targets until his monetary demands are satisfied. Therefore the complainant reiterates his earlier requests for taking stringent action against Mr Katiyar for misusing press.

Letter dated 7.2.2019 received from the complainant

The complainant, Shri Awadhesh Mishra vide letter dated 7.2.2019, while reiterating his submission has submitted that if the Inquiry Committee wants to call him for hearing, he may be called for the hearing on other date while the respondent Editor on another as there is danger to his life from the respondent Editor. Further, he has pointed out the Order dated 21.9.2017 of the PCI in File No. 14/387/16-17 and stated that in this case the decision was taken against the respondent Editor but despite that the Editor is publishing news against him. The complainant has requested the Council to include his submission and take necessary action in the matter. He has requested also to grant him another date for hearing.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 28.5.2019 at New Delhi. The Complainant has filed an application seeking adjournment of the case on the ground of his illness. On several occasions earlier also he did not appear. In one of the dates fixed for hearing of the case, the complainant made an unusual prayer to hear the case on a date when the respondent is not present. Said prayer was rejected earlier. The respondent, Mr. Sharad Katiyar is present in person.

In the absence of the complainant, 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 decides to dispose of the complaint.

Press Council of India

S.No. 13

F.No.14/181/18-19-PCI

Complainant

Shri Arun Sharma,
Director (Admn.),
Central Drugs Standard
Control Organization,
Ministry of Health & Family Welfare,
Government of India,
New Delhi.

Respondent

The Editor,
Union Territory Independent,
New Delhi.

Adjudication dated 22.08.2019

Facts

This complaint dated 14.6.2018 has been filed by Shri Arun Sharma, Director (Admn.), Central Drugs Standard Control Organization, Ministry of Health & Family Welfare, Government of India, New Delhi against "Union Territory Independent", New Delhi for allegedly publishing false, misleading and defamatory news articles under the captions "Blackmailer Manivannan?" and "Fight for Loot" in its February 1-15, 2018 issue.

It has been reported in the impugned news article captioned "Blackmailer Manivannan" that "the Deputy Drugs Controller in Chennai, Dr. S Manivannan, on charges of corruption, has been transferred to Delhi. He did not join the office and went on leave. He did try to manipulate senior officials to ensure his transfer to Hyderabad or Bangalore but failed. It is being alleged that when he was posted in Bangalore, he gave too much importance to junior woman officer Bhubaneswari. Even, she was dictating terms to her senior officers as she was being patronized by Dr. Manivannan. When Manivannan joined Chennai Office, he ensured her transfer to Chennai office too. He gave important position to her. Both managed to loot the money by promoting non-deserving pharma companies. When, on charges of corruption, Dr. Manivannan was transferred to Delhi; he used his position and ensured transfer of Bhubaneswari to Bangalore. The Directorate General of Drug Administration (DGDA) also received complaints against their conduct in Chennai Office.

It has been reported in the impugned news article captioned "Fight for Loot" that "in the money capital-Mumbai, importers, exporters, custom house agents and representatives of various officers are very critical about the corruption in the Central Drugs Standard Control Organization (CDSCO) that is under the Union Ministry of Health & Family Welfare. The two Deputy Drugs Controller fought for money with each other to get their share. This is talk of the town in Mumbai. The meeting of CDSCO was held recently in Mumbai that was attended by then Drugs Controller General India (DCGI), Dr. G.N. Singh and Joint Secretary in the Ministry, Shri Sudhir Kumar. They came to know that everything is not okay in the Zonal office, Mumbai. Normally, there is only the Deputy Drugs Controller in Zonal Office but since there is too much import and export in the Mumbai Zone, two Deputy Drugs Controllers, Shri Chandrasekhar Rao and Ramkishan, have been posted here. The zone is known for minting illegal money by the Deputy Drugs Controllers. The DCOI and Joint Secretary came to know that there was fight between Sh. Chandrashekhar

Rao and Sh. Ramkishan over money. Allegedly, Sh. Ramkishan went to the room of Sh. Chandrashekhar Rao asked for his shared illegal money. The heated arguments took place and ultimately Sh. Ramkishan thrashed Shri Rao. He was found serious in the room. It is being alleged that the fight between them was for sharing corrupt money that they got from pharma companies. There is also another twist to the story that the differences between Sh. Rao and Sh. Ramkishan were created at the behest of Dr. S. Manivannan, Deputy Drugs Controller posted in Delhi Office. Allegedly, Dr. Manivannan is not satisfied with his posting in Delhi and wants to get transferred either in Mumbai, Bangalore or Hyderabad.”

While denying the allegations, the complainant has alleged that the respondent published the impugned news items without verifying the facts with a view to tarnish the image of the Central Drugs Standard Control Organization, Ministry of Health & Family Welfare. The complainant has further alleged that the respondent also defamed the officers of CDSCO by mentioning their name in the impugned news items.

The complainant has submitted that the matter was taken up with the respondent-editor with a request to meet the DCG(I) and provide evidence/proof with regard to the allegations as alleged in the impugned articles so that CDSCO could take appropriate action. However, the respondent has not replied despite repeated requests made on 8.3.2018, 28.3.2018 and 23.4.2018.

The complainant vide his further letter dated 8.11.2018 has informed that the respondent again published highly objectionable and defamatory news article against the officers of CDSCO in its November, 2018 issue. He has requested the Council to take necessary action against the respondent.

No Written Statement

Show-cause notice was issued to the respondent-Editor, Union Territory Independent, New Delhi on 7.9.2018 but no response has so far been received despite issuance of reminder dated 4.12.2018.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 28.05.2019 at New Delhi. Ms. Pratima Kerketta, DDA and Shri Sunder Lal, Consultant, appeared on behalf of complainant. There was no appearance on behalf of the respondent.

In the earlier hour the Deputy Director, Ms. Pratima Kerketta, and Consultant, Shri Sunder Lal appeared and when the Inquiry Committee, asked certain questions they were unable to answer. The Inquiry Committee ‘passed over’ the matter giving them opportunity to go through the papers and answer the questions put to them. Now, when the matter is taken up none of them are present. In the absence of the complainant or his representatives, the Inquiry Committee is not inclined to proceed in the matter any further and recommends for disposal of the complaint.

Held

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

Press Council of India

S. No. 14

File No.14/385/18-19-PCI.

Complainants

Shri Kamalkant Tiwari,
President,
Subhash Children Society,
Kanpur City (U.P.)

Respondents

The Editor,
Amar Ujala,
Kanpur (U.P.)

Adjudication dated 22.8.2019

Facts

This complaint dated 16.10.2018 has been filed by Shri Kamalkant Tiwari, President, Subhash Children Society (Child Welfare Voluntary Organisation), Kanpur City (U.P.) against "Amar Ujala", Kanpur for allegedly publishing a series of false, baseless, misleading and defamatory news items. Date and captions of the impugned news items are as follows:-

S.No.	Captions	Date
1	मां की अनुमति के बगैर चार साल के बच्चे को गोद देने की कोशिश	18.9.2018
2	बाल कल्याण समिति कार्रवाई के नाम पर नोटिस भेजती रही	18.9.2018
3	बच्चेको आखिर मिली मां की गोद	19.9.2018
4	नियम विरुद्ध तरीके से भी बच्चे रखे गये	20.9.2018
5	जांच पर जांच कार्यवाई के नाम पर अफसर व्यस्त	22.9.2018
6	जांच रिपोर्ट तैयार, हो सकती है कार्यवाही	23.9.2018
7	विवादित शेल्टर होम से तीन बच्चे गायब	25.9.2018
8	सभी को थी जानकारी फिर भी गंभीरता नहीं	26.9.2018
9	बंदी का आदेश फिर भी चल रहा शेल्टर होम	30.9.2018

It has been reported in the impugned news items dated 18.9.2018 and 19.9.2018 that a matter of taking custody of a four year old child in the Special Adoption Unit of Subhash Children Home without permission of Child Welfare Committee has come to the light. A woman handed over her child to Subhash Children Home due to some domestic problem on 5th May without requisite formality and on 19th August when she came back for taking back custody of her child, the Superintendent of did not entertain her and asked to leave the premises. The woman has now filed an application before the Child Welfare Committee for taking back custody of her child. It has been further reported that after publication of news, the child has been returned to his mother on the direction of Child Welfare Committee. The District Magistrate also constituted committee for investigating the matter.

The series of news items reports alleged irregularities in the Subhash Children Home. Denying the allegations levelled in the impugned news items, the complainant has alleged that the respondent published false, baseless and misleading news items due to which reputation of their institution has been tremendously damaged. According to the complainant, the Subhash Children Society has been working for last 38 years and its unit Subhash Children Home has also working for last 13 years for welfare and rehabilitation of orphan and helpless children with the help of the public. The complainant has submitted that the custody of the children was given to his mother after complying with all formalities before the Child Welfare Committee. The complainant has further stated that they have right to give the custody of the children as per direction of the Central Adoption Resource Authority (CARA), New Delhi. According to the complainant, the respondent is not aware of the process of giving custody of the children due to which the respondent has published the baseless and misleading news items.

The complainant has submitted that he wrote to the respondent on 22.9.2018, 30.9.2018 and 3.10.2018 for publication of contradiction but to no avail. He has requested the Council to take necessary action in the matter.

Show-cause Notice was issued to the Editor, Amar Ujala, Kanpur on 19.12.2018.

Written Statement

In response to Council's letter dated 19.12.2018, Shri Pandey R. Rajhans, Advocate for the respondent-newspaper vide written statement dated 25.4.2019 has stated that the allegations made in the complaint are false, frivolous, concocted and fabricated. The respondent has submitted that the impugned news item dated 18.9.2018 was based upon the complaint made by Ms. Anjali Sharma before Bal Kalyan Samiti. Further, the version of all concerned parties including the statements of Mr. A.N. Agnihotri, President, Bal Kalyan Samiti, Ms. Ragini Pandey, Probation Officer, Mr. Shivakant Dixit, Advocate for Woman and also of the complainant were duly published in the impugned news item. The respondent has further submitted that the impugned news items dated 19.9.2018 and 20.9.2018 were based upon the Order dated 18.9.2018 passed by Bal Kalyan Samiti upon the complaint made by Ms. Anjali Sharma and inferences came out from it. Further, the news report consist version of ShriKamlesh Verma, the District Probation Officer. The respondent has stated that the impugned news item dated 22.9.2018 is not about the children of Subhash Children Society but about the particular child, who is connected with the order passed by the Bal Kalyan Samiti. Further, it is true that medical check up of the stated child was not done but only formalities were done. He has further stated that impugned news items dated 23.09.2018, 25.09.2018, 26.09.2018 and 30.09.2018 were based on facts.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 28.5.2019 at New Delhi. The complainant, Shri Kamal Kant Tiwari appeared in person. Shri Neeraj Kapoor along with Shri Vishal Bhatnagar, Legal Officer represented the respondent newspaper, Amar Ujala.

The complainant is aggrieved by several stories published against the complainant's Society. The Inquiry Committee has heard the complainant as also the Counsel for the respondent. From the perusal of the complaint and the connected material, the Inquiry Committee is of the opinion that the respondent newspaper has basis for publication of 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 decides to dismiss the complaint.

Press Council of India

S.No. 15

File No.14/499/18-19-PCI.

Complainant

Dr. Mithun Ghosh,
Specialist Forensic Medicine,
P.L. Sharma District Hospital,
Meerut (U.P.).

Respondents

The Editor,
Amar Ujala,
Amar Ujala Publications Ltd.,
164/1, Mohakampur,
Delhi Road,Meerut,
(U.P.).

Shri Aarish Rizvi,
Journalist,
Amar Ujala Publications Ltd.,
164/1, Mohakampur,
Delhi Road,Meerut,
(U.P.).

Adjudication dated 22.8.2019

Facts

This complaint dated 3.1.2019 has been filed by Dr. Mithun Ghosh, Specialist Forensic Medicine, P.L. Sharma District Hospital, Meerut (U.P.) against Shri Aarish Rizvi, Journalist of Amar Ujala for alleged misconduct. According to the complainant, on 26.11.2018 while he was examining a female patient in the hospital, Shri Aarish Rizvi, Journalist of Amar Ujala came into the examination room without any prior permission and tried to create hurdle in treatment unnecessarily.

The complainant has submitted that he drew the attention of the respondent-Editor, Amar Ujala in this regard on 27.11.2018 but to no avail. He has requested the Council to take necessary action in the interest of the patients.

Notices for Comments were issued to the respondent-Editor, Amar Ujala and Shri Aarish Rizvi, Journalist, Amar Ujala on 28.1.2019.

Comments of Amar Ujala

Shri Pandey R. Rajhans, Counsel for the Amar Ujala vide his comments dated 27.2.2019 while denying the allegation has stated that the complaint is false, frivolous and misleading. The respondent has submitted that on 26.11.2018, the Medical Superintendent of District Hospital called a media briefing for apprising the fact about installation of e-hospital facility in the hospital including in the emergency ward. Accordingly, their reporter along with reporters and journalists of other media houses and TV channels were briefed by the Medical Superintendent on 26.11.2018 and asked the journalists to go to emergency ward and see the e-hospital facility. As per request of the Medical Superintendent, their reporter along with other journalists went to the emergency ward to see the e-hospital facility. There they showed identity cards and referred the media briefing by the Medical Superintendent to visit the ward. But journalist was shocked and surprised at the behaviour of the Doctor (the complainant) towards him and rudely asked him to go out. The respondent has further stated that the journalist made a verbal complaint to the Medical

Superintendent against the complainant in this regard. While providing a copy of the statement of the Reporter, Shri Aarsh Rizvi, the respondent denied the allegation that their reporter has created any hurdle in examining unnecessarily. He has requested the Council to close the complaint.

A copy of the comments was forwarded to the complainant on 11.3.2019 for counter comments.

Counter Comments filed by the Complainant

The complainant vide his Counter Comments dated 24.5.2019 has stated that reply filed by the respondent from Number 1-5 is not related to his complaint. While reiterating the complaint, he has submitted that Shri Aarish Rijvi, a journalist of Amar Ujala, has admitted that there were four to five patients at that time. He has requested the Council to take necessary action in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 28.5.2019 at New Delhi. The complainant has not chosen to appear. Shri Neeraj Kapoor along with Shri Vishal Bhatnagar, Legal Officer represented the respondent newspaper, Amar Ujala.

It is the allegation of the complainant that while he was examining a female patient in the hospital on 26th November, 2018, respondent No. 2 Shri R.S.Rizvi, a journalist of Amar Ujala entered into the examination room without prior permission and tried to create impediment in the treatment. Despite service of notice, respondent no. 2 has not chosen to appear. The Inquiry Committee has heard the Counsel of the editor of the Amar Ujala, Meerut.

In the facts and circumstances of the case, the Inquiry Committee directs the editor of Amar Ujala to hold an enquiry into the alleged allegation and take such remedial steps which he deems necessary to avoid such kind of occurrence. The editor shall submit its report within 3 months to the Council.

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

Held

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

Press Council of India

S.No.16

F.NO. 14/280/18-19 PCI

ComplainantRespondent

Shri Rajiv Kumar,
Sahibabad,
Ghaziabad (U.P.)

The Editor
Dainik True Times,
Delhi.

Adjudication dated 22.08.2019

Facts

This undated complaint, received in the Secretariat of the Council on 29.8.2018, has been filed by Shri Rajiv Kumar, working as a lineman at Paschimachal Vidyut Vitaran Nigam Ltd., Sahibabad, Ghaziabad (U.P.) for allegedly blackmailing and publication of misleading and defamatory articles against him by Shri Pankaj Tomar of Dainik True Times.

The complainant submitted that as per the order issued by the District Magistrate, Ghaziabad, on 8/6/2018 an electricity inspection was carried out in the Divison-4, Rajendra Nagar, Sahibabad regarding the electricity distribution in that area. During the inspection, Shri Pankaj Tomar, a resident of that area was found using unauthorised electricity and a case under Section 135 was lodged at the Sahibabad Police Station against Shri Pankaj Tomar. Shri Pankaj Tomar had to pay a fine against electricity theft and out of vengeance Shri Tomar who happens to be a reporter of a Weekly named *Dainik True Times* have started misusing the weekly to publish unverified, misleading and defamatory news items targeting him and other electricity workers. He has further submitted that several unverified, baseless news items have been published against him by Shri Pankaj Tomar and he has also been blackmailed by the respondent. The impugned news item were published in its issue dated **27.6.2018** captioned "**Bees hazar mahina lekar SDO Anshu Rathi aur Jai Niranjan Maurya Chalwa Rahe hain jeans ki factory**" levelling allegation against SDO, Shri Anshu Rathi and Shri Niranjan Maurya for illegally running jeans factory at street no.10, Rajeev Colony, where electricity is being used without any authorisations. It is theft of electricity and these two persons being at power position, nobody would ever try to lodge any complaint against them. In another article dated **2.7.2018**, captioned "**Shekhro factriyo se bijli chori karwa ke lakho rupeye mahina ugakar upar bethey adhikario tak pahuchata hain lineman Rajiv**" levelling allegation against Lineman, Rajiv who has been told as one of the right-hand man of Shri Niranjan Maurya has installed less meters of load capacities in several factories in Koyal Enclave where they are earning lakhs of rupees through illegal electricity distribution. In its issue dated **8.8.2018** another news item captioned "**Rajiv Lineman ke upar SDO Anshu Rathi va J.E Maurya Ka Ashirwad**" in this news item it has been reported that Lineman, Shri Rajiv has been transferred from Rajendra Nagar Electricity Board but as he is the right-hand man of SDO, Shri Anshu Rathi and Shri Niranjan Maurya and continues to do his work at Rajendra Nagar Electricity Board Office even after his transfer. This news item has been published along with a photograph of SDO, Shri Anshu Rathi.

The complainant further submitted that vide an undated letter addressed to the Editor-in-Chief of Dainik True Times, the complainant has informed the editor that how Shri Pankaj Tomar, Reporter at Dainik True Times, is misusing the power of press for his own vengeance and hence requested the Editor to take action against Shri Pankaj Tomar and to make sure that such unverified and defamatory news publication may be stopped. Under the circumstances, the complainant has requested the Council to take stringent action against the respondent and the editor of the respondent weekly newspaper.

Reply Filed by the Respondents

A Show Cause Notice dated 11.12.2018 was issued to the respondent. In reply, a written statement dated 24.12.2018 filed by the respondent. The respondent submitted that impugned news items that were alleged to be defamatory are based on true facts and has been verified and collected from the ground by the reporter himself after recording interviews of the local people of Rajendra Nagar Division 4. The respondent has submitted that electricity theft is happening on regular basis and all the higher officials of electricity board are involved in this. It has further submitted that the complainant being ridiculed by the continuous publication of true facts about electricity theft done by the higher officials of Paschimanchal Vidyut Vitaran Nigam Ltd., they have framed reporter Mr Panjkaj Tomar with electricity theft charges. Hence in the submission the respondent editor has denied all the allegations levelled against the reporter ShriPankaj Tomar and has stated that they are trying to publish truth in public interest and hence they are being targeted by the higher officials of Electricity Board of Sahibabad, Ghaziabad.

A copy of the written statement of the Editor, Dainik True Times has been forwarded to the complainant seeking a response vide letter dated 6.2.2019.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 28.05.2019 at New Delhi. Shri Roshan Kumar Rai, Bureau Chief appeared on behalf of the respondent newspaper, Dainik True Times.

Despite service of notice, the complainant has not chosen to appear. In the absence of the complainant the Inquiry Committee is not inclined to proceed in the matter any further. The Inquiry Committee, accordingly, recommends for the disposal of the complaint.

Held

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

Press Council of India

S. NO. 17

File No.14/308/16-17-PCI.

Complainants

Shri Chandra Mohan Vathyam,
Hyderabad.

Respondent

The Editor,
Deccan Chronicle,
Secunderabad.

Adjudication dated 22.8.2019

Facts

This complaint dated 26.8.2016 has been filed by Shri Chandra Mohan Vathyam, Hyderabad against "Deccan Chronicle" for allegedly publishing two full pages of advertisement which was published as regular news in its issue dated 15.7.2016. According to the complainant, one can only see the word "Advertorial" printed on top right of the pages which clearly meant to deceive the readers to assume the contents of the page as regular news.

The complainant vide emails dated 18.7.2016 and 1.8.2016 drew the attention of the respondent editor towards the same but received no response. He has requested the Council to take strict action against the respondent.

Show-cause notice was issued to the respondent-Editor, Deccan Chronicle, Secunderabad on 17.10.2016.

Written Statement

The Editor, Deccan Chronicle vide his reply dated 14.3.2017 has submitted that prima-facie the complaint is not maintainable and the alleged publication does not offend in any manner or public taste. Publication of advertisement in the newspaper, which is within the legal parameters, cannot be faulted with and neither the complainant nor any person can dictate or decide the manner and style in which the advertisement has to be published in the newspaper and such objection tantamount to infringement of right to carry on profession and business, hence the complaint does not deserve any merit. He has further submitted that a frivolous complaint has filed with an intention to harass him. He has requested the Council to reject the complaint.

Counter Comments of the Complainant

The complainant vide his further communication dated 21.3.2017 stated that it is clear from the written statement of the respondent that he does not care for PCI Guidelines and probably does not even recognise the jurisdiction of the Council in the matter. He has requested the Council to take appropriate action against the respondent.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. The complainant has not chosen to appear. Shri B.H. Kashinath, Associate Editor represented the respondent newspaper, Deccan Chronicle.

The Inquiry Committee is entirely in agreement with the contention of the respondent newspaper that nobody can dictate or decide what advertisement should be published. It further agrees with newspapers plea that no body can dictate or decide the manner and style in which the advertisement is published, but with an exception that newspapers cannot publish advertisement in the same style and manner as that of news items. The newspaper cannot be allowed to pass on the advertisement as a news.

Bearing this basic principle in mind, the Inquiry Committee has perused the advertisement and is of the opinion that the advertisement has been published exactly in the same manner as that of the news item. The respondent newspaper does not seriously dispute it but contends that it was published as an advertorial and it has been so mentioned at the top of the advertisement. The Inquiry Committee has perused the same and finds that the same is in such a small font that it is difficult for an ordinary reader to decipher that. In fact, it is a camouflage to pass on the advertisement as a news.

The Inquiry Committee is of the opinion that such state of affairs affects the credibility of newspapers and they cannot be allowed to pass on advertisement as news as has been done in the present case. Accordingly, it **Censures** the respondent newspaper. The Inquiry Committee directs that newspapers while publishing advertisement in the manner similar to news must print at the top that it is an “advertisement” in bold letters with the font size equal to atleast “sub-heading” appearing in that page. Necessity to issue such direction has occasioned as this practice is gaining ground rapidly. A copy of this Order be forwarded to the Director General of DAVP, the Commissioner/Director, Information and Public Relations of the Government of Telangana 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.

Press Council of India

S. NO.18-19

File No.14/399-400/18-19-PCI.

Complainant

Shri N.S. Madeswaran,
Krishnagiri District,
Tamil Nadu.

Respondent

The Editor,
Dinamani,
Dharampuri,
Tamil Nadu.

The Editor,
Maalai Malar,
Dharampuri,
Tamil Nadu.

Adjudication dated 22.8.2019

Facts

This complaint dated 25.10.2018 has been filed by Shri N.S. Madeswaran, Krishnagiri District (Tamil Nadu) through his advocate against (i) Dinamani and (ii) Maalai Malar for allegedly publishing defamatory, derogatory and venomous news items in their issues dated 13.9.2018. English translation of the impugned news items published in (i) Dinamani and (ii) Maalai Malar, as provided by the complainant is as under:-

“In daily newspaper ‘Murasoli’ organ of D.M.K. party published as ‘since violated the party’s restrictions and has been acting in a manner to denounce the party, temporarily suspended from all the responsibilities including basic membership’. Therefore, it is informed in that as the party members should not have any connections with him”.

The complainant has informed that he was Hosur Town Secretary of Dravida Munnetra Kazhagam (DMK) and after taking charge he worked day and night for the development of the party. The complainant has further informed that his party top brass suspended him from their party temporarily in view of a judgement pronounced by the Judicial Magistrate No.II, Hosur. He filed a petition for suspension of sentence of one year on the same day before the same Judge and it was allowed. Against the judgement, he preferred an appeal before District Court, Krishnagiri and the sentence also has been suspended. In one of the daily newspaper “Murasoli” organ of D.M.K. Party published in this regard, which read as follows:-

Disciplinary Action Intimation of Head of the Party

Since violated the party's restriction and has been acting in a manner to denounce the party, N.S. Madeswaran who belongs to Mosur Town, Krishnagiri west district temporarily suspended from the all the responsibilities including basic membership.

K. Anbazhagan
General Secretary
DMK Party

The complainant has alleged that the respondent newspapers, "Dinamani" and "Maalai Malar" published the same in vague manner mentioning that the members of the DMK party should not have any connection with him. The complainant has also stated that the "Ananda Vikadan" also uploaded the news on its official website and Asianet News Channel also telecast the same in vague manner. The complainant has alleged that the respondent newspapers published libellous, slanderous and defamatory news by levelling false allegations with a view to tarnish his image. The complainant has further alleged that the defamatory news item caused immeasurable mental torture and agony to him which cannot be compensated in any monetary value.

The complainant drew the attention of the respondents on 28.9.2018 towards the impugned news items but to no avail. He has requested the Council to take necessary action in the matter.

Show-cause notices were issued to the respondent-editors, Dinamani and Maalai Malar on 14.1.2019.

Written Statement of Maalai Malar

The Editor, Maalai Malar vide his written statement dated 28.1.2019 while denying the allegation has stated that they collect information, news etc. through their reporters and published the same as per the norms and regulations. The respondent has further stated that they collected the news that the DMK Party Hosur Ex-Secretary was removed from the DMK Party membership and that his removal was reported by the DMK General Secretary, Shri Anbalahan through his report published in the newspaper. Furthermore, they have also collected the news that the complainant was convicted for an offence relating to the suicide of young women and that the Court has awarded him an imprisonment of one year and that he was released on bail. The respondent has stated that the same news item was also published by other newspapers. They have not made any false statement and they do not have any malafide intention to spoil the name and image of any person in publishing the news. While denying any violation of norms and regulation, he has requested the Council to close the matter.

Written Statement of Dinamani

Shri N. Gopalan, General Manager (Legal), Dinamani vide his written statement dated 3.4.2019 while denying the allegations levelled in the complaint has stated that there are no merits in the complaint and has been filed unfairly and frivolously without any manner verifying the correct facts. The respondent has further stated that the primary complaint against him is that the following sentence extracted in Tamil below and translated later in English for the benefit of the PCI does not find a place in the publication of the DMK General Secretary about the complaint published in "Murasoli" issue dated 12.9.2018 under the caption "Disciplinary Action":

Translation: "Therefore, it is informed that members of the Party should not have any connection with the said person"

The respondent has submitted that Shri Y. Prakash, MLA, who is the District Secretary of the Krishnagiri West DMK sent a letter dated 11.9.2018, which is like a Press Release, to all Reporters in Hosur which makes it clear that the last portion which is impugned and challenged "whereby members of the party are asked not to have connection with the complainant" is very much there. The respondent has stated that his newspaper has not acted against the standards of journalistic ethics or public taste or has committed any professional misconduct for the PCI to take action under Section 14 of the Press Council Act. He has requested the Council to dismiss the complaint.

Counter Comments on the Written Statement of Maalai Malar

The complainant-Shri N.S. Madeshwaran vide his undated counter comments, received in the Secretariat on 21.5.2019 while reiterating his complaint has denied the written statement of the respondent Maalai Malar. According to the complainant, one Easwari has chosen to give a false complaint before the Hosur Police Station against him and the trial has been conducted before the Judicial Magistrate-II, Hosur. The Learned Magistrate has not properly appreciated the law and facts has chosen to convict him by judgement dated 7.9.2018. Aggrieved against the judgement, he preferred a criminal appeal before the District Court at Krishnagiri and Hon'ble District Judge set-aside the judgement passed by the Learned Judicial Magistrate, Hosur and acquitted him by the judgement dated 2.1.2019. The complainant has alleged that without collecting the proper news about the case, the respondent published mis-statement about him, which is against the standards of journalistic conduct. The complainant has further stated that the averment of the respondent that the news was published in other newspapers and based on that he published the news also is untenable. In fact, the General Secretary of DMK Party gave a Press Release in Murasuli newspaper that "in view of the judgement passed by the Judicial Magistrate-II, Hosur, Shri N.S., Madeshwaran was temporarily suspended from the DMK Party" but the respondent has distorted the facts and published the news that "members of the DMK party should not have any contact with him". He has requested the Council to take action against the respondent.

Counter Comments on the Written Statement of Dinamani

The complainant-Shri N.S. Madeshwaran vide his undated counter comments, received in the Secretariat on 21.5.2019 while reiterating his complaint has denied the written statement of the respondent Dinamani. According to the complainant, the averment of the respondent that the news was published on the basis of the letter dated 11.9.2018 sent by Shri Y. Prakash, MLA, who is the District Secretary of DMK in Krishnagiri is not sustainable. In fact, Shri Prakash has not any authentication to issue a letter to the press, even though he issued a letter to the respondent and it is the duty of the newspaper to verify the genuineness of the statement given by him before publishing the same. The complainant has alleged that due to a political enmity, Shri Prakash and the respondent collusively acted and published the news with a view to tarnish his political image and the said act of the respondent is against the standard of journalistic ethics. The complainant has further stated that the averment of the respondent that the news was published in other newspapers and based on that he published the news also is untenable. In fact, the General Secretary of DMK Party gave a Press Release in Murasuli newspaper that "in view of the judgement passed by the Judicial Magistrate-II, Hosur, Shri N.S., Madeshwaran was temporarily suspended from the DMK Party" but the respondent has distorted the facts and published the news that "members of the DMK party should not have any contact with him". He has requested the Council to take action against the respondent.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. The complainant appeared in person and he was represented by his daughter, Ms. Bharathi Madeshwaran. Shri C. Senthil Kumar, Chief Editor and Shri V. Sanjeev, Advocate represented the respondent newspaper, Maalaimalar.

The complainant is aggrieved by the publication of part of a news in the daily newspapers, Dinamani and Maalai Malar. The news is based on a written note issued by the General Secretary of the DMK Party about the suspension of the complainant from the responsibilities, as also the membership of the party. The complainant is not per se aggrieved by publication of that portion of the news but he states that although he was temporarily suspended from the party but the expression "temporarily" has not been mentioned in both the newspapers. Further grievance of the complainant is that the newspaper has published that party members should not have any connection with the complainant. This according to the complainant has not been stated in the written note of Secretary of the Party but the same has been projected as such in the impugned news.

The Inquiry Committee has heard Ms. Bharathi, daughter of the complainant and Mr. V Sanjeev, Counsel for the Maalai Malar. A prayer for adjournment was made on behalf of the Dinamani. The Inquiry Committee is not inclined to accede to the prayer.

In the facts and circumstances of the case, the Inquiry Committee gives liberty to the complainant to give his version to the newspapers within seven days and the respondent newspapers are in turn directed to publish the same within one week thereafter.

With the aforesaid directions, the Inquiry Committee disposes of the complaint.

Held

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

Press Council of India

S.No. 20

File No.14/533/17-18-PCI.

Complainant

Shri A.M.D. Mohamed Salih Hussain,
Treasurer,
People Welfare Protection Organisation,
Ramanathapuram District,
Tamil Nadu.

Respondent

The Editor,
Daily Thanthi,
Madurai,
Tamil Nadu.

Adjudication dated 22.8.2019

Facts

This undated complaint, received in the Secretariat of the Council on 19.3.2018, has been filed by Shri A.M.D. Mohammed Salih Hussain, Treasurer, People Welfare Protection Organisation, Ramanathapuram District (Tamil Nadu) against “Daily Thanthi”, Tamil Daily Madurai for allegedly publishing false and misleading news item under the caption “Controversy over actor Vijay Sethupathi starring Seethakathi film title” (English translation) in its issue dated 18.1.2018. English translation of the impugned news item, as provided by the complainant, read as follows:-

“Actor Vijay Sethupathi is currently casting the new film Seethakathi. Renowned director, Balaji Tharanitharan is directing this movie. The title of the Seethakathi movie that has great expectations and there is a new controversy arising. The name of Seethakathi is rumoured to be the life of a film related to the life of philanthropist Seethakathi who lived Keelakarai, Ramanathapuram district. Controversy over the issue of Seethakathi in the home town of Keelakarai is especially high. In this regard, the Secretary of the People’s Welfare Protection Organization in a statement said that “Actor Vijay Sethupathi is starring the film titled Seethakathi. The name Seethakathi is not only familiar in Keelakarai home town but also known as philanthropist Seethakadai in all over the world. He had great friendship with the Kilavan Sethupathi, King of Ramanathapuram. Seethakathi’s fame was a living fountain. His name will tell the land he has given and the buildings built there”. Seethakathi, an example of religious harmony was over for everyone. Seethakathi was close friend of former Tamil Nadu Chief Minister, Shri M.G.R. with his love and affectionate friendship of Seethakathi, Shri M.G.R. has sung the song about Seethakathi in the film which he played. He loved the soil as well. The film, which is being picked up by the name Seethakathi, has made great expectations. The Director of the film Seethakathi is said to be filmed to depict the life of a Seethakathi is stage dramatic actor’s life story. But if the Seethakathi is reminiscent of everyone, it is the philanthropist Seethakathi. This will result in higher expectations among the people. So keep in mind that the scenes in the movie should be set up carefully so that it does not have a slight stigma

for philanthropist Seethakathi. This is the duty of the entire film crew. Thus, the statement says.”

The complainant alleged that the impugned article is related to renowned legend ‘Vallal Seethakathi’ and is completely malicious with sensational and misleading heading with suppression of real fact and history. According to the complainant, the impugned article claimed that the Philanthropist Seethakathi and Tamil Nadu Ex. Chief Minister, Shri M.G. Ramachandran were contemporary and fast friends, therefore Shri Ramachandran sang many songs about Vallal Seethakathi in his movies for friendship, love and affection. The complainant has alleged that these false information published by the respondent defamed Vallal Seethakathi’s pride and real history. According to the complainant, Vallal Seethakathi, who lived three centuries ago in the ancient Keelakarai City, was popular for his altruist and philanthropist activities. He had presided over Governor of Bengal appointed by Mughal Empire, Aurangzeb and ministerial position in Ramanathapura Samasthanam, Tamil Nadu whereas Ex-Chief Minister, Shri M.G. Ramachandran lived only 30 years back.

The complainant vide letter dated 13.3.2018 drew the attention of the respondent towards the impugned publication and met Sub-Editor to explain the real history of Vallal Seethakathi. The complainant states that the editor promised him that he will publish corrigendum within two days, but nothing has been done. The complainant requested the Council to take necessary action in the matter.

No Reply

Show-cause notice was issued to the Editor, Daily Thanthi, Madurai on 3.5.2018 but received no reply.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Shri Mohamed Salih Hussain, complainant appeared in person. Shri V. Sanjeevi represented the respondent Editor of “Daily Thanthi”.

The complainant is aggrieved by a news item published in the respondent newspaper, Daily Thanthi in its issue dated 18th January 2018 wherein it has been published that “Seethakathi,” a great philanthropist had intimate friendship with MGR and he sang a lot of his songs in the film. It is the assertion of the complainant that this portion of the news is not correct. Mr. V Sanjeevi, Counsel, appearing on behalf of the respondent newspaper candidly states that it was an inadvertent error.

Mr. Hussain, the complainant states that “Seethakathi” was born about 200 years ago and it is impossible that he could be the friend of MGR. As the respondent newspaper has candidly admitted the error, the Inquiry Committee directs the respondent newspaper to publish the corrigendum within two weeks from today and forward a copy of the same to the complainant and to the Secretariat of the Council.

With the aforesaid directions, 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 the aforesaid direction.

Press Council of India

S.No. 21

File No.14/402/18-19-PCI.

Complainant

Shri S. Udaya Shankar,
Kancheepuram,
Tamil Nadu.

Respondent

The Editor,
Dinamalar,
Chennai (Tamil Nadu)

Adjudication dated 22.8.2019

Facts

This complaint dated 1.11.2018 has been filed by Shri S. Udaya Shankar, Kancheepuram through his advocate against “Dinamalar”, Chennai for allegedly publishing false and defamatory news item under the caption “Tea Kadai Bench – Headmistress doing real estate business” (English translation) in its issue dated 29.10.2018. English translation of the impugned news item as provided by the complainant is as under:-

“Anthonisamy switched over to the last issue that ‘without doing any work, she went to look after the real estate business’. Anwar Bai told that now this business is fetching heavy income. Headmistress, who is working in Mannivakkam, Kancheepuram for the past 13 years still remains in the same school by which she is maintaining good relationship with local VIPs. She developed very good relationship with a person who is doing real estate business. She is not looking after the Headmistress work and became best companion to the real estate businessman by which she had purchased properties to the tune of several crores. A complaint was preferred by one of the teachers of the school to the authorities against the Headmistress; the said complaint returned back to the hands of the Headmistress which annoyed her and hence she threatened the said teacher along with the real estate businessman and with this, Anthonisamy stopped the information. Kuppanna who was present there had got up and asked ‘Udayashankar’ whether his sister ‘Jhansi’ had gone to her native and by that time his other friends have also got up”.

Denying the allegation, the complainant has stated that he is doing business and deals in construction and renting heavy construction equipment machineries. He is law abiding citizen and further a philanthropist rendering yeomen services to the public. The complainant has stated that the respondent in the impugned news item commented against him that he is doing real estate business in Mannivakkam village and the Headmistress of Mannivakkam Panchayat Union Primary School, Chengalpet Taluk viz., Ms. D. Jancy Rani, is closely associated with him in real estate business and he along with Headmistress threatened a teacher who therefore forwarded complaint against Headmistress and accordingly he has been depicted as person like “Dhada” involving in unlawful activities. The complainant has alleged that the respondent has made defamatory remarks against him in the impugned

news items due to which his reputation has been completely spoiled in the society. The complainant has further alleged that the respondent did it intentionally and deliberately to cause damage to him and has alleged that the respondent has neither verified the said information and nor obtained clarification from him about the allegation. He has requested the Council to take necessary action in the matter.

Show-cause notice was issued to the Editor, Dinamalar, Chennai on 31.12.2018.

Witten Statement

The Editor, Dinamalar vide his written statement dated 17.1.2019 while denying the allegations levelled in the complaint. The respondent has stated that the impugned article was published in Dinamalar under the caption "Tea Kadai Bench", which is a special column and where hot topics/current political issues are discussed in a form of chat between three imaginary characters. The respondent has further stated that the impugned news item was published on the basis of the information gathered by their reporter and no part of the impugned news item is false and was published in pursuit of truth and without malice. The respondent has also stated that the complainant along with Headmistress threatened a teacher and he forwarded a complaint against Headmistress to the Education Department for action. The news was published accordingly. The respondent has stated that the name of the complainant was not published and they have published the impugned news after verifying the accuracy of the facts and therefore they have not violated any ethics of media and it was a fair reporting of the news gathered by their news reporters. The respondent has also stated that the said Headmistress issued a Legal Notice and the higher officials have also issued a letter that no complaint was received. The legal notice and letter were replied. He has requested the Council to close the complaint.

A copy of the written statement was forwarded to the complainant on 6.3.2019 for counter comments, if any.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Mr. S. Udaya Shankar, complainant appeared in person. Mr. S.Elambha Rathi represented the respondent Editor of "Dinamalar".

The Complainant is aggrieved by a publication of a news item in the respondent newspaper in its issue dated 29th October 2018. The complainant states that he has filed a suit for damages against the respondent in respect of the news item for which he has filed the present complaint.

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

Held

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

Press Council of India

S. No.22

File No.14/244/18-19-PCI.

Complainant

Dr. Sasi Kanth,
Assistant Professor,
Forensic Medicine,
A.C.S.R. Govt. Medical College,
Nellore (Andhra Pradesh)

Respondent

The Editor,
Sakshi,
Hyderabad.

Adjudication dated 22.8.2019

Facts

This complaint dated 23.7.2018 has been filed by Dr. Sasi Kanth, Assistant Professor, Forensic Medicine, A.C.S.R. Govt. Medical College, Nellore (Andhra Pradesh) against “Sakshi”, Hyderabad for allegedly publishing a false and defamatory news in its issue dated 13.6.2018 under the caption “Suspicious Death of Nurse” (English translation).

According to the complainant, it has been alleged in the impugned news item that Dr. Sasi Kanth a forensic expert, Assistant Professor, Govt. Medical College, Nellore went to mortuary, removed the clothes on the dead and burnt them and he washed the clues on the dead, to rescue the accused.

Denying the allegation, the complainant has stated that one Shri Subramanyam (Stringer for medical and health, Nellore) working for Sakshi daily defamed him by publishing falsified news with a view to blackmail him. According to the complainant, he has voice recording of Shri Subramanyam in which he was speaking with him in blackmailing way to change a case from 304-B IPC to 302 IPC for his known person and when he refused to do so, he has published false news with a view to defame him. The complainant has submitted that after publication of the said news item, the next day police sent rejoinder in this regard which is as follows:

“The police requested Dr. Sasi Kanth to tell external injuries on the body while preparing the FIR, Inquest copy; he has not taken the cloths nor burnt them. They don't have any suspicion on the death of Nurse, because she was taking treatment for stage 3 cancer. It is already told by parents of deceased, all that was wrote in news paper is false and cooked story”.

The complainant has alleged that the reporter published the said news item without any basis or truth with a view to malign him. The complainant vide legal notices dated 14.6.2018 and 28.7.2018 drew the attention of the respondent towards the impugned news item but received no response. The complainant requested the Council to take action against the respondent.

Show-cause notice was issued to the respondent-Editor, Sakshi, Hyderabad on 4.9.2018.

Written Statement

Shri V. Murali, Editor, Sakshi vide written statement dated 18.9.2018 while denying the allegations has stated that the impugned publication does not in any manner offend the standards of journalistic ethics or public taste. The respondent has further stated that the impugned publication was based on facts available in public domain and the complainant's clarification and rejoinder was also published as such they published the news after making all the reasonable efforts to verify the veracity of the statements before carrying out the publication. While denying violation of Press Council Act and Norms of Journalistic Conduct, he has requested the Council to reject the complaint.

A copy of the written statement was forwarded to the complainant on 9.10.2018.

Counter Comments

The complainant vide his counter comments dated 21.10.2018 while reiterating his complaint has stated that the respondent published a wrong news and misguided the public.

A copy of the counter comments was forwarded to the respondent on 8.11.2018.

Letter dated 26.6.2019 received from the complainant

Dr. Sasikanth, complainant vide letter dated 26.6.2019 has informed the Council that the Editor and Management ensured him that they will take action against the concerned Reporter. Therefore, the complainant wants to withdraw the complaint and requested the council to drop the proceedings in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Dr. Sasi Kanth, complainant appeared in person. Shri A. Chandra Shaker, Advocate represented the respondent newspaper, Sakshi Daily.

After the Inquiry Committee has heard the matter, the complainant filed an application stating that as the newspaper, editor and management has promised action against the concerned reporter and the proceedings be dropped

The Inquiry Committee accedes to the prayer and drops the proceedings.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to drop the proceeding as complainant withdraw the complaint.

Press Council of India

S.No. 23

F.No. 14/197/17-18-PCI

Complainant

Shri P.E.B. Menon,
Pranth Sanghachalak,
R.S.S., Kerala State,
Parayath Veedu, Bank Road,
Aluva, Ernakulam,
Kerala.

Respondent

The Editor,
Deshabhimani,
Kerala.

Adjudication dated 22.8.2019

Facts:

This undated complaint, received in the Secretariat of the Council on 16.8.2017, has been filed by Shri P.E.B. Menon, Pranth Sanghachalak, R.S.S., Kerala State, Ernakulam (Kerala) against the Editor, Deshabhimani, Kerala for allegedly publishing a false news item in its issue dated 16.7.2017 under the caption "Compassion for Dileep" with the intention to tarnish the image of the complainant and RSS.

It is reported in the impugned news item that the P.R. agency based in Kochi which is in charge of propagation of BJP is in the scene to create compassion for Dileep, the cine star, who is imprisoned for attacking the actress. It is heard that this Kochi based agency is hired by paying lakhs as their charges. It is further reported in the impugned news item that the agency was arranged by Dileep's family friend who is the RSS Sanghachalak. After the arrest, strong criticism arose against Dileep even in social media. The Police has started investigation in the matter and it is found that hundreds of fake Facebook accounts and online newspapers and community pages were started for this purpose. Prominent cinema and community pages were also purchased. The special prosecutor while opposing the bail petition has clearly stated that while in the jail and police custody mass intervention in the field of social media is happening for Dileep.

Denying the allegations levelled in the impugned news item the complainant has stated that he has no connection with Shri Dileep and his family. He has further stated that the allegation is made to taint his social status. He has also stated that it is the policy of the respondent to report against RSS volunteers and its office bearers who are known for their dedication to the organization and loyalty to the nation.

The complainant vide his letter dated 18.7.2017 drew attention of the respondent towards impugned news item and asked him to publish a corrigendum in the same page with same prominence. He has further stated that on 19.7.2017, the respondent has published news item under the caption "P.E.B. Menon states that he has no connection with P.R. Agency etc." He has also stated that the second report as corrigendum was published in an unimportant place and nobody will read it. He has also stated that no proper action is taken by the respondent nor any reply is received from him.

A Show Cause Notice dated 15.9.2017 was issued to the respondent for Written Statement.

Written Statement

The respondent-Printer/Publisher, Deshabhimani vide his undated written statement has stated that the translated script provided by the complainant is not a true version of the original Malayalam publication. According to the respondent, he had published a news stating that one P.R. agency of Kochi is in the forefront of publicity for the act of Dileep who is accused in the case relating to assault of an actress. It is only reported that there is a hind connecting RSS Pranth Sanghachalak who arranged this agency and he is a friend of Dileep. The respondent has further stated that the newspaper did not report that the complainant is the person who is responsible for arranging the agency. The news does not say that the RSS Panth Sanghachalak of Ernakulam or Aluva is the person who is mentioned in the news. Even then the complainant came up to own up the responsibility and sent a Notice to him. The disputed news as well as version of the complainant is published in the same page. The news appear published the complainant's version with due prominence and without any delay. He has also stated that the complaint is ill-motivated and malafide.

A copy of written statement was forwarded to complainant on 13.11.2017 for information/counter comment.

Report of the Inquiry Committee

The matter came up for final hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Shri Antony Reddy, Shri L.Prabhakar Reddy and Smt. K. Karuna Sagar, Advocates appeared on behalf of the complainant. There was no appearance on behalf of the respondent newspaper, The Deshabhimani.

The complainant is aggrieved by the publication of a news item in the respondent newspaper in its issue dated 16th July 2017. It is the allegation of the complainant that what has been published is untrue. It is an admitted position that the complainant brought this to the notice of the respondent newspaper, which has published the corrigendum. The Inquiry Committee has heard the complainant's counsel and has also perused the record.

The contention of the complainant is that the corrigendum published is not at the prominent place as that of the original news. The Inquiry Committee has perused both; the news and the corrigendum and is of the opinion that the corrigendum had been published in the manner that invites the attention of the readers. The Inquiry Committee is of the opinion that it is not a fit case in which further action is needed.

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 decides to dispose of the complaint.

Press Council of India

S. No. 24

F.No. 14/174/17-18-PCI

Complainant

Shri N.S. Ashok Kumar,
Professor & Head of the Department,
Department of Mass Communication & Journalism,
Bangalore University,
PK Block, Palace Road,
Bangalore (Karnataka).

Respondent

The Editor,
The New Indian Express,
Bangalore.

Adjudication dated 22.8.2019

Facts:

This complaint dated 24.7.2017 has been filed by Dr. N.S. Ashok Kumar, Professor & Head of Department, Department of Mass Communication & Journalism, Bangalore University, Bangalore (Karnataka) against the Editor, The New Indian Express for allegedly publishing false and baseless impugned news items in its issues dated 1.3.2017 and 21.7.2017 under the captions “CM recommends three names for 1 post in B’lore Varsity” and “Marks card tampering case at RGUHS gets quiet burial” respectively for maligning his name in public with blatant lies and half-truths as he was one of the strong aspirants for the post of Vice Chancellor of University of Mysore.

It is reported in the impugned news item dated 01.03.2017 that Chief Minister, Shri Siddarmaiah has recommended three professors for one post of Registrar Administration in the Bangalore University. Confirming this, Higher Education department officials said “We received three recommendation letters from the Chief Minister in the last one month which had names of three different people.” According to information available, all the notes came on official letter heads of the Chief Minister along with his signature. It is further reported in the impugned news item that it is not the first time that the CM is recommending names for key posts at universities. Earlier too, he had issued recommendation letters in favour of Dr. Janardhanam and Prof. N.S. Ashok Kumar for the post of BU Registrar.

It is reported in the impugned news item dated 21.7.2017 that the case of tempering of marks card which had rocked the Rajiv Gandhi University of Health Sciences (RGUHS) in 2013-14 has been given a quiet burial with the Criminal Investigation Department (CID) filing a B-report. It is further reported in the impugned news item that what is shocking is that none of the authorities concerned – Bangalore University from where the then Registrar was sent on deputation to RGUHS as Registrar (evaluation) and was facing allegations of tampering with the marks cards, RGUHS, Medical Education Department or even the local police station where the first FIR was filed – were kept in loop.

Denying the impugned news reports, the complainant has stated that the reporter, Ms. Rashmi Belur, who is writing stories against him since 2013 is continuing to write till date which are half-truth or a blatant lies. He has further stated that in the news item dated 01.03.2017 she had written that the complainant had received a recommendation letter from the Chief Minister of Karnataka for the

post of Registrar of Bangalore University when he had not even applied for that post. The complainant has alleged that the lady reporter is harassing, intimidating and maligning his name for the past four years and she needs to be punished by judicial court like Press Council of India.

The complainant drew the attention of the respondent on 11.4.2017 and after 15 days of his letter, he had received a call from Shri Ramu Patil, Chief of News Bureau who had called on behalf of the Resident Editor. He had apologised for the false story written by Ms. Rashmi Belur. He has requested the Council to take necessary action in the matter.

A Show Cause Notice was issued to the respondent editor on 9.10.2017 for Written Statement.

Written Statement

The respondent-Editor, The New Indian Express vide his written statement dated 29.11.2017 while denying the allegation has stated that the complaint has not been filed in accordance with the Regulation 3 of the Press Council (Procedure for Inquiry) Regulations, 1979 and is liable to be dismissed. The respondent has further stated that the impugned news item dated 21.7.2017 clearly disclosed that the reporter while investigating the further action to be taken by the Government, in respect to the marks card tampering case, after several inquiries at the Government level and other departments, the Reporter came across several vital information about the inaction taken by the Government with regard to the news item. He has further stated that in the entire report, there is no whisper either about the name of the complainant or any information regarding the said complaint either in his favour or against him. While referring news item dated 01.03.2017, the respondent has submitted that in the said news item he has mentioned the facts that in the earlier selection process of candidates for the post of Registrar, the complainant's name was mentioned as a possible candidate. On this occasion wherein it had clearly mentioned that the three names of the short listed candidates wherein the complainant's name was not shown. The respondent has also submitted that the complainant has stated that Mr. Ramu Patil profusely apologized for the false story written by Ms. Rashmi Belur is baseless and false. Though the Chief of News Bureau requested the complainant to give his version subject to the discretion of the Editor, the complainant had not given his version for reasons best known to him. He has requested the Council to dismiss the complaint.

A copy of written statement has been sent to the complainant on 13.12.2017 for information/counter comments.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Despite service of notice, neither the complainant nor the respondent has chosen to appear.

In the absence of the complainant, 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 decides to dispose of the complaint.

Press Council of India

S. No.25

F.No. 14/166/17-18-PCI

Complainant

Miss Mukta,
Karwar,
Karnataka.

Respondent

The Editor,
Karavali Munjavu,
Karnataka.

Adjudication dated 22.8.2019

Facts

This complaint dated 18.7.2017 has been filed by Miss Mukta Karwar, Karnataka through advocate against the Editor, "Karavali Munjavu", Kannada Newspaper, Karnataka for allegedly publishing a false and baseless news item under the caption "**OFFICE SUPERINTENDENT OF POLICE IN A PRIVATE PROPERTY HIGH COURT ORDERING TO PAY R. 12,00,000/- COMPENSATION. DISTRICT ADMINISTRATION TO PREFEDRAL APPEAL OR REVIEW**" (English translation) in its issue dated 29.5.2017.

It has been reported in the impugned news item that a land at Kodibag Village, wherein the office building of Superintendent of Police, is located in a Private land cultivated by private cultivators and it is revealed that, the High Court, Dharwad Bench, has ordered to pay Rs.12,00,000/- per Guntha to the concerned persons and that the Deputy Commissioner is going to file appeal against the same. The Land Tribunal, Karwar, by its order dated 14.3.1979, had declared that Shri Gangadhar Venktesh Kalgutkar and Ganaati Venktesh Kalgutkar are the joint cultivators of Land R.S.No.4/3 measuring 1-8-0. From 1.3.1974. complaints were raised to the effect that the revenue authorities have effected correction as per the authorized records of Assistant Director of Land Records, making 4 Hissas in R.S.no.4, in all measuring 5 Acre 8 Gunthas, that land bearing Survey No.4/1, 4/2, 4/3, 4/4 and 7/2 and other survey numbers measuring 10-3-4 in all were acquired for Police Parade ground and in Gazette also the same is mentioned. Land Reforms Act came into force from 1.3.1974 and the Gazetted lands were coming within the ambit of Land Reforms Act, and the acquired lands were held to be tenanted lands and Land Tribunal, had ordered for grant of occupancy Rights. It is also reported that the concerned persons have approached Civil Court, Karwar, and then to the Hon'ble High Court, and now that, the Court has ordered to pay the compensation to the land owners and according to the sources, it is known that, it is ordered to give compensation of Rs. 12,00,000/- per Guntha. It is said that the Deputy Commissioner is going to prefer appeal against the said order.

Denying the allegations, the complainant has submitted that the news published without any basis and the Hon'ble High Court of Karnataka has not awarded any compensation amount and that no matter is pending before the Hon'ble High Court, Dharwad for claiming compensation or for claiming enhancement. The complainant has further submitted that the news was published without verifying and taking copy of the alleged order of the High Court or any other Court. The

complainant also submitted that the respondent before publishing the impugned news item neither verified the facts from her nor any other authority especially when the matter is pertaining to court matter and the respondent should have verified the documents and published the impugned news item to mislead the general public. The complainant also submitted that due to publication of the said news item the relative, friends and family members enquired about the news item and tried to convince that no such award is passed by any court. The complainant vide letter dated 31.5.2017 requested the respondent to publish apology, but received no response. The complainant has requested the Council to take action against the respondent.

Show Cause Notice was issued to the respondent-Editor, Karavali Munjavu, Karnataka on 16.8.2017.

Written statement

Shri Gangadhar Hiregutti, Editor/Owner/Publisher, Karavali Munjavu Daily vide written statement dated 1.9.2017 while denying the allegation has stated that the complaint is contrary to law and true facts of the case, thus liable to be set aside. According to the respondent, it is true that one Smt. Ramabai Kom Koyer Kalgutkar and others have filed suit against Government of Karnataka and others in O.S.No.34/2013 before the Senior Civil Judge, Karwar and the said matter was disposed of on 02/01/2017 by decreeing the suit of the plaintiff and the court has also held that the plaintiff are entitled for compensation of Rs. 12,00,000/- with interest at 6% from the date of filing of the suit till realization. The subject matter of the case i.e. O.S.No. 34/2013 and the news published in Karavali Munjavu dated 29/05/2017 are almost one and same. By oversight and due to misinformation, the above said news item is published in Karavali Munjavu dated 29/05/2017. The same is not intentional one. Hence, a clarification was given in Karavali Munjavu on 30.05.2017 and any laymen can understand that no such order is passed in complainant's case. The said news item is published for public good and in good faith without any enmity or difference of opinion or having any ill will. He has also submitted that if the complainant is really put under inconvenience, the respondent will give assurance to the complainant that henceforth no such news items will be published with respect to the lands mentioned in the complaint. He has requested the Council to dismiss the complaint.

Counter comments

The complainant vide counter comments dated 9.11.2017 has submitted that the entire contents of the written statement are false, misleading and are denied. The complainant has stated that the judgment rendered by the Civil Court in Original Suit No.34/2013, is nothing to do with her and that, she is in no way connected to the said suit and that, she is not a party to the Civil Suit, of which the Judgment has been produced by the respondent before this Honourable Authority. The complainant has further stated that the respondent on one or the other way is making attempt to shirk his liability. Further, the explanation in the newspaper dated 30.5.2017, is not the explanation or rectification of the error given by the respondent. The respondent cannot take shelter of the judgment and the publication. The respondent has not at all published any explanation on its own and has not tendered any apology also.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. The complainant has not chosen to appear. Mr. Nagraj Naik, Advocate appears on behalf of the respondent and states that respondent newspaper has published wrong news about the complainant's father inadvertently and the newspaper will publish an expression of regret and apology along with the correction within two weeks from today.

In view of the aforesaid assurance, no further action needs to be taken in the matter. The respondent shall publish the regret, the apology and the correction within two weeks and forward a copy of that to the complainant and the Secretariat of the Council.

With the aforesaid directions, the Inquiry Committee disposes of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint with directions to publish regret, apology & correction as per stipulated time.

Press Council of India

S. No. 26

F.NO. 14/11/18-19 PCI

Complainant

Shri Rev. P. David Gnanaiah
No.51, Teachers Colony
Tirunelveli District
Tamilnadu.

Respondent

The Editor & Senior Reporter
Kumudam
Kumudam Publications (P) Ltd
Chennai, Tamilnadu.

Adjudication dated 22.8.2019

Facts

This complaint dated 5.04.2018 has been filed by Shri Rev. P. David Gnanaiah, Tirunelveli District (Tamil Nadu) against the Editor & Senior Reporter, Kumudam, Chennai, Tamilnadu, for allegedly publishing fake news and defamatory article in its issues dated 18.12.2015 and 23.1.2018 under the captions “Terrifying Sex Pastor? - Simmering Nazareth People” and “Want to be with you whole night!” respectively.

The impugned news article dated 18.12.2015 reports that “Mr David Gnanaiah the Pastor of Sawyerpuram CSI Church located near Nazareth, Thoothukudi district, Tamilnadu is a habitual sex offender and this fact came into public domain when he circulated an inappropriate Whatsapp video. In Christianity, a pastor is considered equivalent to half God but Mr Gnanaiah by his inappropriate actions has lost that qualification as submitted by one Mr Rajesh Ravichander. According to Mr Ravichander, Mr Gnanaiah was suspended several times in past for his inappropriate conduct, misappropriating Church’s money and other corruptions. On September 11, 2017 when Mr Gnanaiah sent an obscene SMS to the Pastor Rev. Benjamin Aiyadurai and spoke in a female voice vulgarly, Mr B. Aiyadurai lodged a complaint in Sawyerpuram police station and an F.I.R. was lodged. However Mr Gnanaiah has been absconding to avoid arrest. According to the statement recorded from the Lay Secretary of Nazareth Diocese, Mr Gnanaiah is continuously making mistakes. The news article also published the version of Mr Gnanaiah saying that it is a revenge strategy played by Mr Rajesh Ravichander who is not agreed to one of the decisions made by Mr Gnanaiah and hence conspiring against him to remove him from his position. It is also mentioned in the article Mr Gnanaiah saying that his mobile has been mishandled while he was praying”.

In the other article dated 23.01.2018 regarding the sexual misconduct of another Pastor and the inaction of the Diocese Administration on such cases where again Mr Rajesh Rmachander has been quoted saying “similarly, I also caused to suspend Rev. David Gnanaiah who also misbehaved with women” and thus again defaming the reputation of the complainant.

The complainant, who is working as Presbyter at the Thoothukudi-Nazareth Diocese of Church of South India from 1995, aggrieved with the published facts in the alleged impugned news article, has submitted that a police complaint has been filed by Mr Rajesh Ravichander against him for circulation of inappropriate photo and while the investigation was under process, Mr Rajesh in connivance with the Sr. Reporter of Kumudam have published false and defamatory news item against the complainant. The complainant states that the inappropriate SMS received by Mr Rev. B. Aiyyadurai was not sent by him and was received by Mr Aiyyadurai from some unknown number. But, Mr Rajesh misused the information against him and lodged a police complaint and with the help of the Sr. Reporter of Kumudam got the wrong facts published against the morality and social character of the complainant. Mr S. Annadurai being a Sr. Reporter have also misused his freedom of speech by not only publishing fake facts regarding the complainant and but also by publishing concocted version of his statement submitted to the reporter. It is violation of journalistic ethics.

The complainant further submitted that he had initially sent a letter dated 18.12.2015 to the respondent newspaper to carry out the corrections followed by legal notice dated 19.12.2018 to carry out corrections but did not receive any response from the respondent.

In addition, vide communication dated 01.06.2018 the complainant submitted that in the criminal case vide CCNo. 190/2017 the complainant has been discharged from criminal charges by the Hon'ble Judicial Magistrate at Thoothukudi which proves his innocence and thus publication of such fabricated against the complainant has led to defaming his reputation.

The complainant therefore has pleaded that necessary action be taken by the Council in the matter and for giving direction to the respondent newspaper to stop publishing unverified news only for the sake of vested interest when the matter is pending before the Hon'ble Court of Law and render justice.

No Reply Filed by the Respondent

A Show Cause Notice dated 3.05.2018 has been issued to the editor, Kumudam Publications (P) Ltd. however no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Mr. Rev. P. David Gnanaiah, complainant along with Advocate, Mr. B.Sugumar Muralidharan appeared in person. There was no appearance on behalf of respondent newspaper, "Kumudam".

Mr. B. Sugumar Muralidharan states that the impugned news item was published on the basis of the allegations made in the FIR which were untrue and in fact, the complainant has been ventilated by discharge from those cases. After hearing the counsel for the complainant and on perusal of the record, the Inquiry Committee gives liberty to the complainant to bring to the notice of the respondent newspaper, the fact of his discharge in the cases referred in the news item and if it is done within two weeks, the respondent newspaper shall publish the same as follow up story within two weeks thereafter.

With the aforesaid directions, the Inquiry Committee recommends for disposal of the complaint.

Held

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

Press Council of India

S.No. 27

F.NO. 14/537/17-18-PCI

Complainant

Dr. B Srinivasulu, M.D.
Physician
Aditya Nursing Home,
ADONI.

Respondent

The Editor
Eenadu
Ushodaya Publications, Eenadu Press
Kurnool, Andhra Pradesh.

Adjudication dated 22.8.2019

Facts

This complaint dated 29.1.2018 has been filed by Dr .B Srinivasulu, M.D. Physician, Aditya Nursing Home, ADONI against the Editor, Eenadu, Kurnool, Andhra Pradesh for alleged publication of distorted, premature, hasty, baseless news for the sole purpose of sensationalization of news for increasing the newspaper's circulation in issue dated 20.12.2017 captioned "Surgery adversely led to death of child".

As per the impugned news item dated 19.12.2017 captioned "Therapy adversely caused death of Mother and Child", on the main page of Eenadu Telugu daily, reports the unfortunate incident of death of a mother and child following the delivery of child. The mother got admitted at the Mahalaxmi Nursing Home, Euluru, West Godavari Dist. on 17.12.2017 for delivery. However, in an unfortunate turn the baby died and the mother also died on the same day due to excessive blood loss.

An unfortunate incident of death of a child during surgery was reported on 20.12.2017 in a sensational manner. The press person, as submitted by the complainant, reported the incident without any thought or prior verification of the facts and reported that the surgery led to death and no explanation from the other party was sought to verify the truth. As per the report, a child during convalescence in the Omni Hospital in Budhawar pet Kurnool after surgery succumbed to death. The news item reports the victim was diagnosed with a hole in her heart which was operated once and she was reported to be fine by the Doctor but during a follow-up surgery she succumbed to death. After that the deceased parents protested in front of the hospital and a police complaint was filed thereafter.

According to the complainant, the respondent newspaper published both the unfortunate incidents too early and too soon and within few hours of the incidents and without understanding or verifying or waiting for the truth that may have come out after proper medical or police investigation. The complainant states that it is violation of journalistic ethics. This kind of unnecessary sensationalisation of news about well reputed health institutes is incorrect and spreads mistrust amongst the public on medical sectors.

The complainant further submitted that vide letter dated 21.12.2017 the complainant expressed his grievance against the impugned news items to the editor of Eenadu and asked for a suitable response to which the complainant did not receive any response.

Reply Filed by the Respondent

A Show Cause Notice dated 11.4.2018 was issued to the respondent newspaper. The respondent vide letter dated 30.5.2018 submitted that the complaint filed by the complainant does not concern him as he is not directly aggrieved by the two reports and none of the reports relate to him. It is a general complaint making baseless allegations against the newspaper Eenadu. The respondent denies all the allegations of the complainant and calls them false and baseless and states that the complainant has also filed a Court case on the same matter claiming damages of Rs 5 lakhs against Eenadu newspaper and the journalists. The respondent later reaffirms that the published news items are based on facts and personal enquiries made by the journalists on the spot and public records and FIR lodged at the police station and photographs were also published alongside the news item in question. The respondent further submits that the news reports in question were published against medical negligence carried out in reputed hospitals which is done in good faith and in public interest. Therefore, he submits that the complaint is not maintainable and liable to be dismissed.

A copy of the reply received from the respondent was forwarded to the complainant vide letter dated 15.6.2018.

Counter comments of the complainant

Vide letter dated 19.6.2018 the complainant submitted that his concern is with the premature publication of unverified, false and inaccurate news and he is not concerned with subsequent progress of two cases, let law take its own course. The impugned news item is defamatory and concerns and affects him as it affects the image of private hospitals in the minds of the public and tarnishes the image of the medical fraternity in general and creates confusion in the minds of public. He further states that unfair/inaccurate and hasty reportings do not serve public interest rather it is publicity interested. Therefore violation of journalists ethics have been committed in both the cases and pleads the Council to take action may against the respondent.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Dr. B. Srinivasulu, complainant appeared in person. Mr. GVS Jagannadha Rao, Advocate represented the respondent Editor of "Eenadu".

The Inquiry Committee has heard the complainant in person and the Senior Counsel for the respondent and has perused the entire complaint, the reply and the counter comments.

The Inquiry Committee is of the opinion that the respondent newspaper had the basis for publication of the impugned news item and no action is called for against the said publication.

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

S.No. 28-29

F.NO. 14/47-48/18-19PCI

Complainant

Mr M.K. Sivadas
Secretariat Footpath
Statue -Thiruvancuar Thapham,
Kerala State

Respondent

1. The Editor
Times of India
Bennett, Coleman & Co. Ltd
Thiruvananthapuram

2. The Editor
Mathrubhumi
Calicut
Kozhikode
Kerala

Adjudication dated 22.8.2019

Facts:

This complaint dated 20.4.2018 has been filed by Mr M.K. Sivadas, residing at the Secretariat Footpath, Statue Thiruvancuar Thapham, Kerala State against the Times of India, Thiruvananthapuram and Mathrubhumi, Kozhikode, Kerala for allegedly publishing false news.

The impugned article in the Times of India, issue dated 15.01.2018 captioned **“900 DAYS – Protesting for a Livelihood”**, reports that Mr Jallal a native of Thiruvananthapuram has been staging a protest in front of the Secretariat for past two and a half years along with his maternal aunt Smt Kanakamma, age 72 years. Mr Jallal’s protest is against the delay/not receiving Government’s job appointment irrespective of clearing the Govt. conducted examinations for jobs. Due to some personal grudges that some officers at the State Govt. Secretariat hold against Mr Jallal, his name removed repeatedly from the short-listed candidates’ list. To fight against this injustice, Mr Jallal initiated the protest in front of the Secretariat in Trivandrum. The news item further stated that Mr Jallal has been brought up by his aunt Smt. Kanakamma in the absence of his mother. During the protest at the Secretariat’s footpath, Smt Kanakamma was hit by a Minister’s car. None of the Government hospitals admitted her for treatment. However, they got some help from the Ayurvedic Hospital. Most of the time, Mr Jallal and his aunty sleep empty stomach and feel happy when someone offers them free food.

Likewise, the alleged impugned article published by Mathrubhumi, captioned **“Evarkku Neethi Yennu? Yengane? (“When and how these people would get justice”)** publishes a news feature that covers the issue of various protestors, who are continuously residing in the sheds in front of the Secretariat, Trivandrum. The news feature throws light on the pathetic life of each person who has been residing at the Secretariat’s footpath for several days and months with their respective demands.

The complainant, however submits that both the stories are false and factually incorrect as he is the one who is staging the protest from the beginning in front of the

Kerala State Secretariat for past 384 days and Mr Jallaluddin Ravuthar (Jallal as reported by TOI) joined him later in the protest by using a part of the samara pandal. The complainant has submitted that to earn money for his medicines and food he generally drafts letters or applications for others. On 30.8.2017, Smt Kanakamma requested the complainant to write an application for her eye operation. As Smt. Kanakamma did not had a phone number, the complainant wrote his phone number in Smt. Kanakamma's application. After few days, the complainant received a call from the Social Justice Department on which he was informed that Smt. Kanakamma's request/application for eye operation has been accepted and asked the Complainant to bring Smt. Kanakamma to the eye hospital, at that time Smt Kanakamma was residing at the bus terminal of Thanpanuer. The complainant went to see Smt. Kanakamma to inform her the status of her application for eye operation but he could not meet. Next day when Kanakamma came looking for the complainant, he already left for his home to take care of his ailing wife who was undergoing treatment. The complainant stayed at home for next one and half months during which Mr Jallaludeen (Mr Jallal) took the responsibility of Smt. Kanakamma and no blood relationship exists between Mr Jallal and Smt. Kanakamma as Mr Jallal is Muslim and Smt. Kanakamma is Hindu.

The complainant's second grievance is against the wrongly mentioned number of dates of protest in the impugned publications carried out by both the respondents. The Complainant submitted that upto 17.01.2018 Kanakamma's staged the protest for only 134 days but Mathrubhumi newspaper published it as 547 days of protest and The Times of India published it as 900 days of protest, which as per the complainant are wrong facts. He further submits that both Mr Jallaluddin and Smt. Kanakamma were complete strangers until they first met in August 2017, but, the newspaper wrote that Mr Jallal is nephew to Kanakamma who took care of Mr Jallal through out his life in the absence of his own mother, this is completely incorrect fact published in the newspapers. The complainant submits that the factually incorrect news items are creating confusion in the Ministry as Mr Jallal who has been referred in the news item is an over aged man who is not eligible for Government Jobs and hence it is jeopardising the cause of his protest.

Therefore, the complainant has pleaded the Council to take necessary action against the respondents.

Show-cause notices dated 13.8.2018 have been issued to the respondent-Editors, The Times of India and Mathrubhumi.

Reply Filed by the Respondents

Response of The Times of India

The respondent -The Times of India vide letter dated 26/11/2018 submitted that the newspaper carries article/news on issues that concern general public and published in public interest for information of its discerning readers. It is stated that the article was published in good faith without any ill will or malice towards the complainant or anyone else. The respondent further submitted that he is unable to comprehend how the complainant is aggrieved and affected by the article. The article was published on the basis of the interaction the reporter of The Times Of India had with various protestors. And it is not clear to the respondent that how the relationship between the protestors, as alleged by the complainant, affects the

cause for which they have been protesting. It is also not clear to the respondent that even if the version of the complainant is considered as truth how does it render the article in the category of false news as the article squarely talks about the plights of the protestors. The respondent further submits that the complaint is liable to be dismissed.

Response of Mathrubhumi

The respondent- Mathrubhumi vide its letter dated 31.1.2019 submitted that the allegations made against them are factually incorrect, legally untenable and the charges are denied by the respondent. It stated that the captioned news items, ***Evarkku Neethi Yennu? Yengane? Meaning "when and how these people would get justice"***, covered the issues of the various protestors, who are continuously residing in the sheds in front of the Kerala State Secretariat and the news item throws light upon the pathetic life of each person, who are residing there for several days and months. It talks about the physical ailments of an aged lady protestor Kanakamma. It also refers to the article published on the same issue by Times of India and said that the press is trying to draw public attention to the demands and plights of the protestors and the complaint filed holds no ground and therefore requested for dismissal of the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Neither the complainant nor the respondent has chosen to appear.

The complainant has been served with the Notice but according to the communication received, he is unable to appear before the Inquiry Committee because of paucity of fund. He has made a prayer for holding the inquiry at Thiruvananthapuram. The Inquiry Committee is not inclined to accept this prayer of the complainant.

The Inquiry Committee has perused the complaint, the written statement and all other connected papers on record and is of the opinion that in the facts and circumstances of the case, the respondent newspaper should publish the version of the complainant. Accordingly, the Inquiry Committee gives liberty to the complainant to give his version to the respondents and directs the respondents to publish the same within four weeks of its receipt.

The Inquiry Committee, accordingly, directs for disposal of the complaint with the aforesaid directions.

Held

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

Press Council of India

S.No. 30-31

File No.14/474-475/17-18-PCI.

Complainant

**Dr. C.V. Ravindranath,
Managing Partner & Managing Trustee,
Krishna Jewels,
Kannur, Kerala**

Respondent

**The Editor,
Mathrubhumi,
Kerala.**

The Editor,
Malayala Manorama,
Kerala.

Adjudication dated 22.8.2019

Facts

This complaint dated 15.1.2018 has been filed by Dr. C.V. Ravindranath, Managing Partner & Managing Trustee, Krishna Jewels, Kannur Kerala against (i) Mathrubhumi and (ii) Malayala Manorama for non-publication of advertisement. The complainant submitted that both the respondents rejected their advertisement without assigning any reason while the same advertisement was published and released by many other leading Malayalam newspapers of Kerala. The complainant vide letter dated 6.1.2018 drew the attention of the respondents towards non-publication of advertisement but no response was received. He has requested the Council to direct the respondent newspapers to publish the advertisement because it deals with social menace of hoodwinking the customer through unwarranted value addition undercut, thereby cheating the common man on the street and uphold the customer rights and awareness.

Show-cause notices were issued to the respondent-newspaper (i) Mathrubhumi and (ii) Malayala Manorama on 6.4.2018

Written Statement of Malayala Manorama

Shri Varghese Chandy, Vice-President (Marketing/Advertising Sale), Malayala Manorama vide his written statement dated 18.4.2018 has stated that the advertisement of complainant says "it is published for the awareness of the consumers of Malabar against the 3% making charges (value addition)". The advertisement accuses other manufacturers of charging for hidden cost for which there is no evidence. The respondent has further stated that they do not accept advertisement which may offend the credibility of other clients. The advertisements given by the complainant appears to tarnish other jewellers and therefore they did not accept the advertisement for publication. The respondent has also stated that the complainant continues to advertise using their own credentials and advantages which this paper accept and publish.

A copy of the written statement of Malayala Manorama was forwarded to the complainant on 1.5.2018 for information/counter comments.

Written Statement of Mathrubhumi

The Executive Editor, The Mathrubhumi vide his written statement dated 21.4.2018 submitted that advertisements being part of the commercial activity of the paper and the editor has the unbridled discretion to accept and reject any advertisement without giving any reasons. The respondent has submitted that they pointed out to the complainant and the Teekeycee Advertisers that they can publish the advertisement without the ex-facie derogatory remarks about the alleged fraud in lines 2 to 17 and the last but one line in the advertisements. It was only because the complainant was unwilling to delete the offending lines, that the advertisement was not accepted for publication. According to the respondent, the full implication of advertisement, it is necessary to give the background material. M/s Malabar Gold & Diamonds, having franchisees and outlets in various cities and towns in the Kerala State, had published their quarter page advertisement on 9.12.2017 announcing that they are charging only 3% as "making charges", which is the correct translation of the Malayalam word "Panikkooli", which is incorrectly shown as "coolie value addition" in the translation by the complainant. The respondent has further stated that when within a month of that advertisement appearing in their paper and also in Malayala Manorama, the complainant wanted to publish the disputed advertisement and they felt that the same was intended to refer to the advertisement of Malabar Gold, accusing them of fraud (hoodwinking of customers in the words of the complainant himself). The reference in the disputed advertisement to the 'consumers in Malabar' was also aimed at pointing the accusing finger specifically against Malabar Gold. The innuendo was unmistakable. The respondent has also stated that the line 9 & 10 of the disputed advertisement directly referred to 'their fraudulent hallmarking centre' and repeated the phrase 'hoodwinking customers'. The next two lines dealt with the non-issue of bills and collecting GST, resulting in 'evasion of tax'. According to the respondent, they believed that publishing the disputed advertisement, will be leaving them wide open for an action for defamation by Malabar Gold. Therefore, they suggested to the complainant/Teekeycee Advertisers, to delete these offending lines if they are to publish the advertisement. As the complainant was adamant in having the advertisement published without the deletion, they rejected the advertisement. The respondent has further stated that they had published five advertisements and one Circular of the complainant. He has requested the Council to dismiss the complaint.

Counter Comments on Written Statement of Malayala Manorama

The complainant vide his counter comments dated 24.4.2018 on the written statement of Malayala Manorama has submitted that it is not possible to sell new gold ornaments at 3% VA, when the manufacturing cost is 4-6%, which has to be given to Goldsmiths as melting loss 2.5% to 5% and their 'coolie' 1% to 3.5%. It is clear that these unscrupulous gold dealers are selling used old gold ornaments after repairing, re-polishing and getting hallmarked from their Benami hallmarking centres. If these people are hoodwinking millions of customers by such frauds, it is the duty of every Indian to bring it out, in order to uphold the customer's right. The complainant has stated that their advertisement did not offend the credibility of any of their clients, they only exposed the marketing strategy of unscrupulous jewellers in hoodwinking the Indian citizen to fall into their trap of trade crime. The complainant has stated that since they are the India's first BIS Certified Jeweller, it is their moral obligation to save every Indian from ulterior motives of any jewellery.

Counter Comments on Written Statement of Mathrubhumi

The complainant vide his counter comments dated 30.4.2018 on the written statement on Mathrubhumi has submitted that Malabar Gold & Diamonds are selling used old gold ornaments after repairing, re-polishing and getting hallmarked from their Benami hallmarking centres to enable them to sell ornaments at 3% coolie(V.A). While providing complaint/letters/bills in support of his allegation, the complainant has stated that no jeweller can sell gold ornaments at that rate, when the 'coolie' given to Goldsmiths are at 4-6%. The complainant has alleged that the big sharks in the media field protect them for want of their huge advertisements. The complainant has stated that since they are the India's first BIS Certified Jewellers, it is their moral duty to save every Indian from the ulterior motives of such unscrupulous jewellers.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Despite Service of notice, the complainant has not chosen to appear. Mr. Abraham. T. George, DGM represented the respondent Editor of "Malayala Manorama" and Mr. B.G Bhaskar, Advocate along with Mr. Anil Prathap D.K, Manager-Legal represented the respondent Editor of "Mathrubhumi".

The Complainant has sent a communication stating therein that because of old age ailment, he is unable to travel. He has requested the Council to do the needful in the name of truth.

The Inquiry Committee has perused the complaint, the written statement and all other connected papers and is of the opinion that in the facts and circumstances of the case the respondents are not wrong in refusing to publish the advertisement given for publication by 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

S. No. 32

F.NO. 14/46/18-19-PCI

Complainant

Dr C.V. Ravindranath
Managing Partner & Managing Trustee
Krishna Jewels
Jawahar Road
Kannur.

Respondent

The Editor
Mathrubhumi Weekly
Mathrubhumi M.M. Press
Cherootty Road
Kozhikode.

Adjudication dated 22.8.2019

Facts:

This complaint dated 18.4.2018 has been filed by Dr C.V. Ravindranath, Managing Partner & Managing Trustee, Krishna Jewels, Kannur against Editor-in-charge, Mathrubhumi Weekly, Kozhikode for publishing a photograph of Mayyilpeeli Puraskaram-2012 event in which writer Shri M.T. Vasudevan Nair and Shri T. Padmanabhan are featured. According to the complainant, the photograph was published by Mathrubhumi without prior permission and the badge of Mayyilpeeli Puraskaram-2012 worn by Shri Padmanabhan has been distorted unethically. The impugned photograph has been published in newspaper's issue dated 14/1/2018.

The complainant submits that the photograph has been published by Mathrubhumi without any courtesy and the scratch on the badge worn by Shri T. Padmanabhan is allegedly distorted which is insulting and objectionable. This unethical use of press is unacceptable and therefore, the complainant requests the Council to take action against this irresponsible act.

The complainant has also submitted that vide letter dated 13.01.2018 he has expressed his displeasure for distortion in the published photograph and asked the respondent newspaper to correct the mistakes but no action has been taken by the respondent.

Reply Filed by the Respondent

A Show Cause Notice dated 29.5.2018 has been issued to the respondent newspaper to which the respondent vide letter dated 9.7.2018 submitted that after receiving the notice he enquired with his staff and found that the photograph has been taken by Mathrubhumi staff in 2012 and so considerable time was spent to search back records and get details regarding that photo and hence the delay has happened in filing the reply.

The respondent stated that as the photograph has been taken by the official photographer of Mathrubhumi in 2012 so it is the property of the Newspaper and therefore no consent was required in reproducing the same. The photo was not made available to the respondent by the complainant so no permission in publishing the photo was required and the photo has been published in the course of a write-up based on an interview of a reporter of Mathrubhumi with Mr Padmanabhan and had topical relevance. Therefore no violation of journalistic ethics has been committed by publishing the photo. Further the respondent submitted that apart from the

complete legal right that they have over the captured photograph by their official photographer, to publish it with or without modification to suit their needs, there is no law compelling them to promote the monetary or financial interests of the complainant. Also according to the photographer due to reflection the name or emblem if at all was present on the badge did not get captured in the photography. The same photo was published in 2012 on 22nd October issue of Mathrubhumi. Therefore any complaint against such re-publication of a photograph that was published in 2012 being objected now by the complainant does not stand valid.

Counter comments of the complainant

Vide letter dated 2.11.2018 the complainant submitted that scratching of the emblem and name on the badge of Mayyilpeeli Puraskaram dedicated by them on behalf of Shivoham Temple of consciousness is beyond all ethical and moral values which every organisation should hold high and as Mathrubhumi has violated that then it is a grave mistake. Therefore stringent action may be taken against the respondent.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Shri B.G. Bhaskar, Advocate and Shri Anil Prathap, Manager Legal represented the respondent newspaper, Mathrubhumi.

Despite service of notice, the complainant has not chosen to appear. He has sent a communication stating therein that due to the old age ailment, he has been advised not to travel and prays to do the needful in the name of truth. The Inquiry Committee has perused the complaint and the reply and also heard the counsel for the respondent. The Inquiry Committee is of the opinion that the grievance made by the complainant is absolutely misconceived 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 decides to **dismiss** the complaint.

Press Council of India

S. No. 33

F.NO. 14/91/18-19-PCI

Complainant

Shri M. Rajendra Kumar
Advocate
DCCBE Colony, Sana Street
Srikakulam
Andhra Pradesh.

Respondent

The Editor
Neti Mahatma,
Telugu Sayankala Patrika
Srikakulam City and District
Andhra Pradesh

Adjudication dated 22.8.2019

Facts

This complaint dated 12.5.2018 has been filed by Shri M. Rajendra Kumar, Advocate, Srikakulam, Andhra Pradesh against The Editor, Neti Mahatma, Telugu Sayankala Patrika, Srikakulam City and District, Andhra Pradesh for defamatory publication in its issue dated 17th April 2018 under the heading “**Renedrudu-Gajendrudu**”, captioned “**Nagaramlo Aakatayi Halchal**”.

The complainant submitted that he is residing at DCCBE colony situated on the back side of Madhava Motors and according to the translation filed by him, it is reported in the impugned news item that “*one beard boy residing behind Mahdava Motors Srikakulam in a colony is doing halchal. If he happens to see any lady or college girls, this beard lover boy...develops more lust inside him*”, further the news item states “*As his parents has earned a lot and born rich hence he is no avocation, but wandering in the streets, indulging in rowdism activities, harassing lonely ladies and eve teasing etc..... his hobby is blackmailing the engineering officials wherever any road formed or drains repair works by proclaiming that the said works are under his control*”.

The complainant submits that the news item is highly defamatory which has been brought to his notice by his relatives and friends. He submits that he belongs to a well reputed family and he is a practicing Advocate. He regularly engages himself in social and development works in his the locality. He is the president of DCCBE Colony, Resident’s Welfare Association at Srikakulam and in the capacity of the President of the Colony’s Welfare Association he resist to all illegal works and constructions in the colony. He also submitted that the Municipal authorities consults him and take his advise and services in carrying out the Swachchh Bharat Mission and other meetings in the locality which proves that he is leading his life performing social services. The complainant submits that the libel publication by the respondent clearly refers to him. He stated that by labelling him ‘phsyco’ and disruption creator in the colony against development work, the newspaper has tarnished his reputation at work front and social front too. The complainant submitted that all allegations made against him in the news item are untrue and based on unverified facts as no case of eve teasing or creating hindrance in municipality’s work has ever been filed against him. He submitted that the respondent newspaper with malicious intention and to increase its circulation have published the defamatory article against the complainant which has tarnished his reputation and caused mental trauma to him.

He also submitted that even after issuing legal notice dated 26.04.2018 to the respondent editor, the editor did not choose to reply and did not retract the impugned publication from the social media. The complainant pleaded the Council to take necessary action in the matter.

Reply Filed by the Respondent

A Show Cause Notice dated 1.6.2018 has been issued to the respondent newspaper. The respondent filed his written statement dated 2.7.2018 in which he submitted that the name of the complainant, Mr Modalavalasa Rajendra Kumar is nowhere mentioned in the alleged impugned publication and it is a misunderstanding of the complainant and it does not intend to defame or have any defamatory content against the complainant or anyone else. The respondent submits that the present complaint has been filed by the complainant is simply to harass the newspaper. It has further submitted that the complainant has issued a legal notice to the respondent to which a reply dated 14.05.2018 with true facts have already been sent to the complainant. The respondent further submits that the complaint of the complainant is based on his imagination and nothing is true. The respondent's Counsel therefore pleads to the Council to drop the proceedings against the respondent.

Counter comments of the complainant

Vide letter dated 27.8.2018 the complainant submitted that the respondent is denying the allegations to avoid its mistake/fault. The complainant submits that if the subjected publication does not belong to anybody than who has been referred in the impugned publication or to whom it belongs. The complainant has therefore requested the Council to look into the matter as the defence submitted by the respondent is blatant lie to avoid any liability. The complainant has stated that he has nothing against press to harass it by writing false complaint and the response of the respondent denying accountability and reply to the legal notice is void and not tenable under law and most absurd. The complainant requests the Council to take necessary action in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Mr. Rajendra Kumar, Complainant appeared in person. There was no appearance on behalf of respondent newspaper, "Neti Mahatma".

The Inquiry Committee has heard the complainant and has perused the petition of the complainant and the reply filed by the respondent. The only defence of the respondent is that the name of the complainant is not mentioned in the news and therefore the grievance made by the complainant is misconceived.

The Inquiry Committee is not inclined to accept this contention of the respondent. The name of the complainant does appear in the headline and further, the features mentioned in the news do identify him. The Inquiry Committee is of the opinion that the story was intended against the complainant.

In the facts and circumstances of the case, the Inquiry Committee **Warns** the respondent and directs him to be careful in future, failing which, the Inquiry Committee may take stricter action against him.

With the aforesaid directions, the Inquiry Committee disposes 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 warn the respondent newspaper.

Press Council of India

S.No. 34

File No.14/301/17-18-PCI.

Complainant

Shri Muppidi Srinivas,
Assistant Commercial Tax Officer,
Peddapalli Town,
Karimnagar (Telangana).

Respondent

The Editor,
Praja Theerpu,
Karimnagar,
Talangana.

Adjudication dated 22.8.2019

Facts

This complaint dated 16.9.2017 has been filed by Shri Muppidi Srinivas, Assistant Commercial Tax Officer, Peddapalli Town, Karimnagar through his Advocate against “Praja Theerpu”, Telugu fortnightly for allegedly publishing false, misleading and defamatory news items under the captions (i) “Attack on Muppidi” and (ii) “A.C.B. Shadow not touch to A.C.T.O.-Corruption in the Commercial Tax Department-Higher officials are not responding-Muppidi Srinivas totally involved in collecting bribe-Extract property of his in-laws to his name” in its issues dated July 1-15, 2017 and September 1-15, 2017 respectively. As per English translation provided by the complainant, it has been reported in the first impugned news item that –

“As a posting in Whatsapp group of Telangana Commercial Tax Department, Karimnagar against the Shri Muppidi Srinivas, he got issued legal notices to them on which the employees unions leaders expressed their angry. In fact, there is suspicious to several persons in appointment of Peddapalli A.C.T.O., Shri Muppidi Srinivas, as such the same has to be clarified by making enquiry to find out real facts. Further, they stated that he got promotions as A.C.T.O., on loop line without having qualifications. Issuing notices to the leaders of their association is only to take revenge and the said Sh. Srinivas also facing several allegations for which there is necessity for enquiry by the higher officials and he has to withdraw the notice issued by him”.

It has been reported in the second impugned news item dated September 1-15, 2017 that –

“The name of Muppidi Srinivas is a tag of corruption, who is working as Commercial Tax Officer has secured crores of properties on his name but the Anti Corruption Bureau (ACB) not focused on him. The ACTO Muppidi Srinivas illegally secured number of properties and got kept some properties on other names and the same is discussing in his department. The nature of Muppidi Srinivas is to offer bribe and collect the same. In this way, he got promotion even though he was not qualified for the said post and even he is not in a position to read English.”

Denying the allegations levelled in the impugned news items, the complainant has alleged that the respondent published false and misleading news items with a view to tarnish his image in the society. According to the complainant, he is distant relative of the respondent as his father-in-law and respondent's father-in-law were real brothers. The respondent through his wife filed a false and baseless Civil Suit against complainant's father-in-law and others with a view to grab his land but the same was dismissed by the Hon'ble Court. The complainant has alleged that having failed in his attempt, the respondent taking the advantage of his journalism profession filed several false cases against him and his family members. The complainant has informed that there is a Whatsapp group for the Employees of the Commercial Tax Department in Telangana for sharing their works. On 24.5.2017, the respondent posted a news item published in the respondent newspaper and in Departmental Whatsapp group under the caption "Education Second School Certificate and his job is Assistant Commercial Tax Officer" wherein a defamatory statement published stating that he is not a qualified person i.e. 10th failed candidate and unable to read Telugu language, but he got promotions and presently working as ACTO and harassing the business people. The complainant has stated that having gone through the posted paper clipping, his department sought clarification from him due to which he mentally suffered and his reputation got damaged in the society. According to the complainant, the respondent posted the defamatory clippings of newspaper in the Whatapp group with malafide intention. Therefore, he issued a legal notice dated 27.5.2017 to the respondent questioning about the defamatory statement in his newspaper. Having received the said Notice, the respondent again published defamatory impugned news item in its issue dated July 1-15, 2017 under the caption "Attack on Muppidi". Thereafter, the respondent sent the said newspaper to all the superiors of his department, police department, ACB department and relatives.

The complainant drew the attention of the respondent on 22.8.2017 but received no response. He has requested the Council to take necessary action against the respondent.

Show-cause notice was issued to the respondent-Editor, Praja Theerpu on 16.4.2018.

Written Statement

Shri S. Mallesh Reddy @ Mahesh, Editor/Publisher, Praja Theerpu vide his written statement dated 16.12.2018 while denying the allegation has submitted that the complainant has developed acute grudge against his wife because of his deceitful nature and on the basis of some civil property issues between the complainant and his in-laws. All the issues are purely personal and civil property issues were in no way related to him, as a core value of publishing a newspaper, they do not merge it with personal issues. It was an issue with the complainant and his in-laws. They set clear cut boundaries between professional and personal issues. The respondent has further submitted that there is no pending FIR on him. The said FIR was closed by the Police Station after finding all the allegations as false and the present complainant was not the complainant with regard to that said FIR. According to the respondent, the complainant encroached and sold government lands in Nampally village, Siricilla district, Telangana. The respondent has stated that his newspaper has brought encroachment of government land by the complainant to light and

brought it to the notice of the District Collector and the District Collector initiated action against the complainant and stopped the construction of his house on government land. The respondent has alleged that the complainant in connivance with his advocate, Shri Damera Nagaraju had developed a sort of grudge against him and his family and created innumerable problems to him. The respondent has informed that the news items are collected by their reporters from Commercial Tax Department and the news was genuine. The respondent has alleged that the complainant making baseless allegation against him with a view to close down his newspaper. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Mr. Damera Naga Raju, complainant along with S/Shri M. Srinivas and K. Adi Reddy appeared in person. Mr. S. Mahesh, Editor along with Shri Konda Satyanarayan, Advocate represented the respondent newspaper "Prajatharpu".

The Inquiry Committee has heard the complainant as also the counsel and the editor of the respondent newspaper. The Inquiry Committee has also perused the petition of the complaint and the written statement filed by the respondent and is of the opinion that the stories published against the complainant in the respondent magazine has no basis. The Inquiry Committee is further of the opinion that the publication is motivated as there is personal dispute between the complainant and the author of the story.

The Inquiry Committee, accordingly, recommends that the respondent newspaper be '**Censured**'. A copy of this order be forwarded to the Director General of DAVP, Commissioner/Director, Information & Public Relations, Government of Telangana 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 with the above direction.

Press Council of India

S.No.35

FileNo.14/567/18-19-PCI.

Complainant

Shri A.S. Dinesh Kumar,
Managing Director,
Andhra Pradesh State FiberNet Ltd.,
Vijayawada (Andhra Pradesh)

Respondent

The Editor,
Sakshi,
Hyderabad.

Adjudication dated 22.8.2019

Facts

This complaint dated 10.1.2019 has been filed by Shri A.S. Dinesh Kumar, Managing Director, Andhra Pradesh State FiberNet Limited (APSFL), Vijaywada (Andhra Pradesh) against the Editor, "Sakshi", Telugu daily, Hyderabad for allegedly publishing false and baseless news articles in its issues dated 11.11.2018 and 3.12.2018 under the captions "Looting treasury in the name of equity" and "For Fibre Grid Panchayat funds" respectively.

As per English translation provided by the complainant, it has been reported in the impugned news item dated 11.11.2018 that

"For the works which private organisations are supposed to at a stretch one corporation is installed and for double rates selling set top boxes,--recently in the name of 'Equity' another robbing activity came into force by Govt. on this subject officials are stunned. Close friend to Chief Minister, Shri Chandra Babu Naidu, Shri Vemuri Ravi Kumar, for his Tera Software Institute State Government handed over project worth some crores of rupees to Fibre Grid set top boxes. This fact is known to all. Initially this project is commenced with Rs.300 crores "Fibre Grid Project" and now estimated expenditure reached Rs.5,200 crores. We have to observe this issue. In this for Rs.200 crores State Govt. itself issued 'Guarantee' and helped this individual in raising loan from bank and for another 100 crores funds provided through Mining Corporation. In this project at large scale at a stretch Rs.2000 crores reached Government elders. There is great corruption in this project. The Chief Secretary of Government narrated that this fact is also known to him. The Fibre Grid Project was opposed by Finance Department strongly at initial stage. These works are to be done by private institutions. State Government is issuing Rs.1200 crores in the name of Equity and the loan will be sanctioned from Bank".

As per English translation provided by the complainant, the impugned news item dated 3.12.2018 may be read as under : "that for pension distribution etc. programmes, through Tabs, Idea, Airtel connections are being utilized by village Secretaries. In this context, at a great cost of Rs. Sixteen crores---demanding

to pay Rs. 148 crores to A.P. Fibre Grid. This direction is made by Sri Nara Lokesh, Panchayat Raj Minister, recently in a review. In our State TV programmes, internet, telephone, to bring these facilities Government with partnership of private people established this Fibre grid. For this project activities government itself submitted its guarantee – provided them, loan upto Rs. 500 crores., towards ‘Loan’ for Panchayats internet connection – amount which will be paid under head Fibre Grid – Rs. 148 crores will reach to TERASOFT”.

Denying the allegations, the complainant has stated that the AFSFL is PSU Company, operating under the Department of Energy, Infrastructure & Investment, Govt. of Andhra Pradesh. According to the complainant, the Govt. of Andhra Pradesh envisages that every household in the state will have access to internet and every family reaps the benefit of it. Fiber Grid is one of the 5 Grids identified by the Govt. of Andhra Pradesh to accelerate socio-economic growth of the State and the APSFL is primarily aimed at harnessing the power of information resource and enabling provision of qualitative and cost-effective IT, Communication (data, voice and video) related services to the citizens of Andhra Pradesh. Internet, video and telephone services are being provided at the doorstep through this project. The APSFL, for all its procurement needs, follows a very transparent and global tender process and it is a matter of record that the bids received for Andhra Pradesh Fiber Grid projects are far below the bids received in the neighbouring States and are among lowest in the country till date. The complainant has alleged that the respondent has published false and baseless articles against APSFL’s procurement process and attributing nepotism/malafides in the functioning of APSFL, which content, apparently aimed at causing chaos in the minds of the public and to disrupt the Fibre Grid Project and which is also prima facie, vindictive in nature and to tarnish the image of the AP Fibre Grid Project.

The complainant has drawn the attention of the respondent newspaper towards the impugned news articles on 24.11.2018 and 12.12.2018 but no response has so far been received from the respondent. The complainant has requested the Council to inquire into the matter and pass necessary order as deemed fit.

Show-cause Notice was issued to the respondent-Editor, Sakshi, Hyderabad on 5.2.2019.

Written Statement

The respondent-Editor, Sakshi vide his written statement dated 16.02.2019 while denying the allegations levelled in the complaint has stated that the complaint is devoid of merits and the same is made without any just and proper cause of action. The respondent has further stated that even according to the complainant the publication of the news item as referred in the complaint by the respondent’s publications, is based upon the information available in public domain. The respondent has contended that contents of news are not published as referred in the complaint. Regarding complainant’s objection to the fact that source of news has not been discussed, it is submitted that news was based on the material available in public domain. The respondent has stated that no defamatory or disparaging remarks are made against any officials or any individuals in the impugned

publications. He has prayed to the Council to reject the complaint in the interest of justice.

A copy of written statement was forwarded to the complainant on 26.2.2019.

Counter Comments

The complainant vide his counter comments dated 13.03.2019 while reiterating his complaint has stated that the contents of the written statement are vague, baseless, evasive and misleading. He has further stated that the averments of the written statement are devoid of merits and contrary to the facts on record and the same deserves to be rejected. He has also stated that the respondent has failed to comply with the legal notices of the complainant. He has stated that the prayer of the respondents seeking rejection of the complaint is baseless. He has requested the Council to censure the respondent for unethical publications and for violating the norms of journalistic standards.

A copy of the counter comments was forwarded to the respondent on 1.4.2019.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 26.6.2019 at Hyderabad. Despite service of notice, neither the complainant nor the respondent has chosen to appear.

The Inquiry Committee is not inclined to proceed in the matter in the absence of the complainant and accordingly recommends for disposal of the complaint.

Held

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

Press Council of India

S. No. 36

F.NO. 14/270/18-19 PCI

Complainant

Shri. Saji K. Ittan,
Advocate,
Ernakulam (Dist), Kerala.

Respondent

The Editor
Mangalam, Kottayam
Kottayam, Kerala.

Adjudication dated 22.8.2019

Facts:

This complaint dated 09.08.2018 has been filed by Shri Saji K. Ittan, Advocate, Kanneth House, Kothamanglam, Ernakulam (Dist), Kerala against the Editor, Mangalam, Mangalam Daily Kochi edition for allegedly publishing lies, unlawful information, half-truth by distorting and misinterpreting the Supreme Court Judgement dated 3/7/2017 in the Civil Appeal No 3674 of 2015 KS Varghese and Ors. Vs. St. Peters and Pauls Syrian Orthodox Church and Ors.in its issue dated 14.6.2018 under the caption (English translation) "***If No Compromise, Govt. Will Take Over Control of Churches***".The complainant has submitted that through the impugned publication, Mangalam Daily has provoked the communal sentiments of the Yakobaya Faction.

The news item states that the State Govt. has collected details of wealth and properties of 14 churches including Kolenchery, Piravom, Kannisttanirappu,Varikoli, Nechoor etc. which was done in connection with Malankara Church dispute case. District authority of Govt. collected reports relating to churches through police and revenue departments. The news item further states that the State Govt. will initiate a discussion with both parties which are Orthodox faction and the Yakobaya faction and if both parties are not willing to settle the matter amicably the Govt. will consider bringing in management of the churches under its control. For the same, the Govt. is considering to implement a Churches Act which was recommended by the State Law Reforms Commission. It is further reported that the Govt. never desires to handover the Churches under Police Protection to Orthodox Church. The Govt. is convinced that the Church dispute cannot be settled permanently by Court order as it is not practical to provide police protection everyday to orthodox faction for offering worship in more than 1000 Churches.

The complainant submits that, after reading this article, he personally carried out an inquiry at his level from the Govt. Departments of Revenue and Police and collected details of wealth and properties of Malankara Orthodox Churches at Kolenchery, Varikoli and Nechoor as reported by the respondent newspaper. The complainant was informed by the Govt. department that the matter was concluded on the decision of the Hon'ble Supreme Court of India that gave the judgement in favour of the Orthodox faction and no dispute is pending in the matter. However, the claim made in the news item that the Churches are brought under the control of the State Government is untrue and leads to contempt of the Court.

The complainant submitted that though the ongoing communal difference between two factions in Orthodox Church was finally settled by the Hon'ble Supreme Court of India through its judgement dated 3/7/2017, Mangalam daily, with a malign intention is pouring oil into the fire of communal riots with a view to increase their circulation amongst Yakobaya faction. It is spreading misinformation to increase its sales and indirectly contributing to the rise of a communal riot.

The complainant has further submitted that vide communication dated 15.6.2018 he has asked Mangalam Daily to publish a rectification of the incorrect information in the impugned news item dated 14.6.2018. However did not receive any response on the same. The complainant therefore has pleaded the Council to take stringent action against Mangalam Daily for publication of provocative article contributing to rise of communal riot.

No Reply Filed by the Respondents

A Show Cause Notice dated 14.9.2018 has been issued to the respondent however, no response has been filed by the paper.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. Shri Saji K. Ittan, complainant appeared in person.

The Inquiry Committee has heard the complainant and has perused the record. Despite service of notice, the respondent has not chosen to appear nor filed his reply. In sum and substance, the grievance of the complainant is that the proposed action of the government as mentioned in the impugned news shall be in teeth of the judgement of the Supreme Court. The complainant further states that the government had not collected any details of the property of the church, contrary to what has been published in the impugned news item. However, the complainant is unable to give on record any concrete material to show that the government has not collected the details of the property of the church. In these circumstances, it is not possible for the Inquiry Committee to take any action against the respondent.

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

S. No.37

F.NO. 14/40/18-19 PCI

Complainant

The Registrar
Sri Padmavati Mahila
Visvavidyalayam,
(Women's University)
Tirupati

Respondent

The Editor
Sakshi Telugu News Daily
Jagati Publications
Banjara Hills,
Hyderabad.

Adjudication dated 22.8.2019

Facts:

This undated complaint received in the Secretariat on 18.4.2018 has been filed by the Registrar of Sri Padmavati Mahila Vishvavidyalayam (Women's University), Tirupati, against the Editor, Sakshi Telugu News Daily, Hyderabad, for allegedly publishing an objectionable and defamatory news item in its issue dated 23.3.2018, Chittoor District edition, captioned "Addagolu Burthee Ki Ready".

The news item talks about the direction of the Government regarding filling up of backlog teaching posts in the University. Notification was out in the month of October 2017 for taking four Assistant Professor and eight Associate Professors in Sri Padmavati Mahila Vishvavidyalayam (Women's University) for which interview was conducted on 15th March 2018. However, the appointments were made on the day of the interview and the seats were filled-up then and there in exchange of a bribe of Rs.30 Lakhs for the post of Assistant Professor. The article further states that no University was supposed to make new appointments of Professors without the Andhra Pradesh State Service Commission (APSSC) held written examination/entrance test. However, Sri Padmavati Mahila Vishvavidyalayam (Women's University), appointed new candidates on the basis of interview held on 15.3.2018, which is unjust and unfair for other candidates who are being deprived of the opportunity.

The complainant submits that the allegations made against the University are totally false, misleading and made with malafide intention to defame the reputation of the only Women's University in the State; as the interviews for filling the backlog posts of professors were conducted duly following the procedure and maintaining transparency and is kept open for public scrutiny in the University website as well. According to the complainant, two separate notifications, one is to fill up the Associate Professor in the Dept. of Applied Microbiology for which entrance examination is not required was out. The other one was dated 16.10.2017 to fill up the backlog vacancies of Associate Professors and Assistant Professors under special recruitment drive for SC, ST, BC/for Differently abled backlog vacancies. After thorough scrutiny of the received applications, the eligible candidates were called for interview that was conducted on 15th March 2018 as per UGC/State Government regulations. As per the procedure, the list of recommended candidates by the

Selection Committee were placed before the Executive Council of the University and with the approval of the Executive Council in its meeting dated 27.3.2018 the appointment orders to the selected candidates were issued on 31.3.2018. But the respondent newspaper has mentioned that the appointment orders were issued immediately on the interview.

Further, the complainant submitted that the written test was not essential for backlog posts and the news item is incorrect and published without any pre-publication verification which has affected the image of the University as well the Vice-Chancellor, badly.

The complainant *vide* communication dated 19.5.2018 submitted the letter that was sent to the respondent newspaper by the complainant expressing its objection against the publication of the untrue facts against the University to malign its reputation and asking to cover any news about the University after proper verification.

The complainant appealed to the Council to take necessary action to stop the publication of the said newspaper.

Reply Filed by the Respondents

A Show Cause Notice dated 4.6.2018 has been issued to the respondent. The respondent *vide* letter dated 25.6.2018 submitted its written statement in which states that the complaint is not maintainable as the same is devoid of merits and the same is made without any just and proper cause of action and the publication of the news item was carried out in good faith without any malice intent and believing the same to be true for public benefit as such the same does not amount to violation of any statutory rules or law. It also submitted that the content of the news item is based on the information available in public domain.

The respondent requests that the complaint may be rejected/dismissed in the interest of justice.

A copy of the filed written statement from the respondent newspaper has been forwarded to the complainant *vide* letter dated 26.7.2018.

Counter comments of the Complainant

The complainant *vide* letter dated 5.10.2018, has submitted that the respondent newspaper published the news item with malicious intention to defame the Vice-Chancellor in particular and University in general. He further states that the submission of the respondent that the content of the alleged impugned news item is based on the information available in public domains is also absurd as the available information at the University website does not give the information/facts that respondent newspaper has allegedly published in the objectionable news item. Hence the justifications against the damage caused to the reputation of the University by the respondent is unacceptable and absurd and an excuse. The complainant therefore pleads the Council to take necessary action in the matter.

A copy of the filed written statement from the complainant has been forwarded to the respondent *vide* letter dated 29.10.2018.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. Despite service of notice, the complainant has not chosen to appear. The respondent is represented by its Counsel, Shri A. Chandra Shaker. In the absence of the complainant, the Inquiry Committee is not inclined to proceed in the matter any further and accordingly recommends for disposal of the complaint.

Held

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

Press Council of India

S. No. 38

F.NO. 14/343/17-18-PCI

Complainant

Shri Mohammed Basheer,
General Secretary,
Popular Front of India,
Kerala State Committee
State Head Quarters
Kozhikode, Kerala.

Respondent

The Editor
Kesari Weekly,
Kozhikode,
Kerala.

Adjudication dated 22.8.2019

Facts

This complaint dated 3.11.2017 has been filed by Shri Mohammed Basheer, General Secretary, Popular Front of India, Kerala State Committee, State Head Quarters, Kozhikode against Kesari, Malayalam Weekly magazine, Kozhikode for allegedly publishing obnoxious article under the caption "For the attention of Sivani's father" (English translation) in its issue dated April 28, 2017.

As per English translation provided by the complainant, it is reported in the impugned news item that one of the basic problems of Hindu community is that they will not learn anything from experience. It is further reported in the impugned news item that a girl student of St. Theresa committed suicide by hanging herself after being trapped in Love Jihad. Love Jihad is not an organisation. It is a tendency. It is a secret movement. So the police has disclosed that Islamic terrorists are striving to convert Hindu girls by luring them. It has been alleged in the impugned news article that the Popular Front and SDPI activists are behind them and they have so far converted thousands of Hindu girls.

According to the complainant, their registered organisation is advancing towards co-ordination and management of efforts for the achievements and socio-economic, cultural and political empowerment of the deprived, downtrodden and the nation at large, and establishing an egalitarian society in which freedom, justice and security are enjoyed by all and to promote national integration, communal amity and social harmony and uphold the democratic setup, secular order and rule of law in the country are amongst the other aims and objects. The complainant has alleged that the respondent published an obnoxious article portraying their organisation as supporters of "Love Jihad", which itself is a terminology used by fanatic and anti-national to degrade Muslim Community, as quoted by police that Muslims extremist are trying to instigate Hindu girls to be converted to Islam especially by Popular Front and SDPI workers and further alleged that around thousands of Hindu girls being converted by their organisation . The complainant has further alleged that the respondent through this impugned article has tried to create fear amongst the readers and the general public against their organisation.

The complainant has sent a letter dated 10.5.2017 to the respondent requesting him for publishing unconditional apology but to no avail. He has requested the Council to take necessary action against the respondent.

A Show-cause notice was issued to the respondent-Editor, Kesari Weekly on 4.5.2018.

Written Statement

The Editor, Kesari Weekly vide written statement dated 28.5.2018 while denying the allegations levelled in the complaint has stated that the averments contained in the complaint are baseless, frivolous and vexatious. According to the respondent, the "Love Jihad" is the name by which the forced and/or allured conversion of young girls and boys to Islam has become very common in the society in general. Thus, their intention behind publishing the article was to make more people aware of the issue that is gripping the society, so much so that the Hon'ble High Court of Kerala has taken cognizance of the issue itself in its several Judgement passed in the year 2009 and 2017. The respondent has claimed that the complainant is attempting to mislead the Council with his distorted and incomplete facts in his complaint. According to the respondent, the relevant portion of the impugned article i.e. "Popular Front of India and SDPI activists are behind them and they have far converted thousands of Hindu girls" is not based on conjecture and surmises but on the harsh reality that is gripping the State of Kerala i.e. in the case of Shahan Sha A. Vs. state of Kerala, decided on 9.12.2009 regarding the alleged allured conversion of two girls into Islam by the accused persons. The respondent has stated that the girls themselves stated to the police that Shahan Saha and Shaji, the accused persons specifically directed them not to disclose to the police that the activists belong to Popular Front of India were assisting Shahan Sha A. and Sirajudden for implementing the idea of converting the girls to Islam. The respondent has claimed that a Report of inquiry by the Special Branch of Police reveals that "fundamental outfits like NDR, PFI, Campus Front have roots in the college campuses" in the city referred. Hence, it is evident that Popular Front of India is facilitating the so-called Love Jihad movement. Though there is no concrete evidence to show the financial status of the organisation but it is known that they get support and financial assistant from National Democratic Front and Popular Front of India. While quoting several judgements and news clippings of several leading dailies in support of his submissions, the respondent has requested the Council to dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 7.6.2018 for information/counter comments.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. Shri M. Abdul Shukoor and Shri S. Muhamed Abed, Advocates appeared on behalf of the complainant. Shri Jo Jo Jose, Advocate represented the respondent newspaper, Kesari Weekly.

The Inquiry Committee has heard the Counsel for the complainant as also for the respondent. The Inquiry Committee has also gone through the complaint, the written statement and all other connected papers. The impugned story finds its root

in the judgement of the Kerala High Court in the case of Shahan Sha A.vs State of Kerala (2010 of ILR Kerala(1296). The Inquiry Committee is of the opinion that the respondent weekly has not violated any norms of journalistic conduct so as to call for action by the Council. The Inquiry Committee, accordingly, recommends for dismissal of the Complaint.

Held

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

Press Council of India

S. No. 39

F.NO. 14/344/17-18 PCI

Complainant

Shri Mohammed Basheer,
General Secretary,
Popular Front of India,
Kerala State Committee
State Head Quarters
Kozhikode, Kerala.

Respondent

The Editor
Mangalam Daily
Mangalam Complex
Kallayi P.O. Kozhikode.

Adjudication dated 22.8.2019

Facts

This complaint dated 14.11.2017 has been filed by Shri Mohammed Basheer, General Secretary, Popular Front of India, Kerala State Committee, State Head Quarters, Kozhikode against the Mangalam Daily, Kozhikode edition for allegedly publishing nefarious, objectionable, false, vexatious, fictitious and obnoxious news item captioned "Kochi Metro: Prathana Manthrikkundayirunnath Anju Theevravadha Sangadanakalude Bheeshani", (Kochi Metro: There has been threat to the Prime Minister from five extremist organisations) in its issue dated 21st June 2017.

The news item states that according to the report of the intelligence wing, the Prime Minister Narendra Modi, had faced threats from five terrorist organizations on his visit to Kochi for the metro inauguration event. A threat alert was also issued against the organizations that allegedly train terrorists.

The complainant submitted that the respondent has tried to portray the complainant's organisation as an extremist organization which is having a connection with the anti-national terrorist organisations like Al-Qaida, Maoist, SIMI. It poses threat to the Prime Minister's visit to Kerala. The complainant submitted that the allegations levelled against the organisation are false, unverified. The complainant alleges that the respondent newspaper attempted to sling mud on the complainant organization without any evidence simply to spread fear against a registered organisation that aims for the betterment of the weaker section of the society and is an ardent patriot and nationalist organisation and advocates secularism. The complainant has submitted that by defaming the organisation through its obnoxious news item the respondent has committed professional misconduct and violated journalistic ethics.

The complainant further submitted that vide letter dated 4th July 2017 a request has been made to the respondent to publish an unconditional apology in its nearest issue and it was followed by a legal notice dated 7th July 2017 asking for unconditional apology with admission of paper's false and concocted reporting against Popular Front of India. However, the complainant did not receive any response.

Hence the complainant has prayed that the Council may take necessary action as it deems fit under the facts and circumstances of the case.

No Reply

A Show Cause Notice dated 26.06.2018 has been issued to the respondent but no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. The respondent has not chosen to appear. Shri Abdul Shukoor and Shri M. Muhamed Abed, Advocates represented the complainant.

The Inquiry Committee has heard the complainant and also perused the record and is of the opinion that the grievance made by the complainant is misconceived. The respondent newspaper has referred to the Intelligence Wing Information for reporting the impugned news.

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

S.No. 40-41

File No.14/88-89/17-18-PCI.

Complainant

The Director,
Manidhanaeyam Charitable Trust
Free IAS & IPS Coaching Centre,
Chennai (Tamil Nadu)

Respondent

The Editor,
Tamizh Murasu,
Chennai.

The Editor,
Dinakaran,
Chennai.

Adjudication dated 22.8.2019

Facts

This complaint dated 7.6.2017 has been filed by the Director, Manidhanaeyam Charitable Trust's Free IAS & IPS Coaching Centre, Chennai against (i) Tamizh Murasu and (ii) Dinakaran, Chennai, Tamil Nadu for allegedly publishing false and defamatory news-item against the Institute to lower its image in the public and also intends to tarnish the image of its Chairman. English translation of the caption of impugned news items are as under:-

S.No.	Caption	Newspaper	Date
1	Mettur woman engineer mysterious death- Case against IAS academy	Tamizh Murasu	21.5.2017
2	Mettur Woman engineer mysterious death – Refusing to collect the dead body and continue protest for second day – Stressing to take action against Saidai Duraisamy Academy	Tamizh Murasu	22.5.2017
3	Woman who studies in Saidai Duraisamy's Academy died in a mysterious circumstances – refusing to get the dead body and 3 rd day protest	Tamizh Murasu	23.5.2017
4	Student of Saidai Duraisamy's IAS academy, Mettur Woman engineer's mysterious death	Dinakaran	21.5.2017
5	Mysterious death of Mettur woman engineer – Relatives refused to collect the body and stage an agitation	Dinakaran	22.5.2017
6	Mysterious death of Mettur woman engineer – Demanding probe into her death in front of Collector office – Dharna continues third day and refusal to receive	Dinakaran	23.5.2017

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As per the English translation provided by the complainant, the news items reports about the death of Ms. Gayathri, an engineering graduate who joined Manihdaneyam Free IAS Academy run by AIADMK's former Mayor, Sh. Saidai Duraisamy, and was staying in a private hostel near the academy. She had consumed poison and died. Her father gave a complaint to the police that he wanted to take action against the institute for the reason that his daughter was scolded in very strong words and was ill-treated in the Academy. Hence, she has consumed poison.

Dinakaran reported that Ms. Gayathri, a student of Chennai Corporation's former Mayor, Shri Saidaismay's IAS Academy died under mysterious circumstances. A staff from Academy informed father of Ms. Gayathri that she is admitted in hospital due to ill-health and urged him to come to Chennai. The students informed her father that Ms. Gayathri had consumed poison and died. The father of Ms. Gayathri made a complaint in Karumalaikoodal Police Station demanding action against the Academy, who were the reason for their daughter's death. It has also been reported that Ms. Gayathri had been scolded with harsh words and was insulted so she consumed poison.

Denying the allegation, the complainant stated that the Institute is famous in the State and coaching is given to economically backward students, especially those hailing from rural areas and villages. In an Institution with around 6000 students their interaction with the students happens only during class hours. After the class hours, the Academy has no contact with the students. The complainant has further stated that one Ms. Gayathri studying in their Academy was admitted in the hospital on 18.5.2017 by her uncle, Shri Prabhu for consumption of poison and subsequently she died on 20.5.2017. The news about her demise was known to the officials of academy only through media, as it happened outside the jurisdiction of the Academy. According to the complainant, Ms. Gayathri was staying in a private hostel while studying in their Centre. The roommates of the girl told various media that the cause of the suicide of Ms. Gayathri was due to family problems. Dina Thanthi, Junior Vikatan and Dinamalar.published news in this regard. The complainant has further stated that neither the hostel mates nor the hospital administration have mentioned anything about the academy. The complainant has alleged that when the suicide by a student is an unfortunate issue due to family problems, respondent newspapers, Dinakaran and Tamil Murasu published false and defamatory news that Ms. Gayathri committed suicide because of the torture by the academy. They have also published false news that their academy was collecting fees for conducting classes. According to the complainant, the academy is duty bound to inform that late Ms. Gayathri was admitted to the hospital directly and the hospital on its part did not inform or lodge a complaint with the police as it is a Medico Legal Case. After the death of Ms. Gayathri, her body was handed over to her parents, without conducting post-mortem by the hospital. These are mistakes that have been committed by the hospital administration. When the academy contacted the hospital administration to know the details, they accepted that it was their fault of having not informed the police. The complainant has alleged that while the mistakes were on the part of hospital, their academy was unnecessarily linked with the suicide by the respondent-newspapers with slander and intention to defame the academy. The complainant has stated that the obvious reason for publishing defamatory news by the respondents is that the Chairman of the Academy, Shri Saidai S. Duraiswamy, when he was Mayor

of Greater Chennai Corporation had exposed the illegal installation of cable lines by Sumangali Cable Vision owned/run by Shri Kalanidhi Maran, the Chairman of Media Conglomerate owning both the respondent-newspapers. The respondent published the impugned news item with an intention to defame the Institute and the Director.

The complainant drew the attention of the respondent-newspapers towards the impugned news items with a request for publishing corrigendum/clarification but to no avail. He has requested the Council to take necessary action in the matter.

No Reply

Show Cause Notices were issued to the respondent Editors, (i) Tamizh Marasu and (ii) Dinakaran, Chennai on 18.8.2017 but no response has been received so far.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. Shri T.C Gopala, Advocate, represented the Complainant, Manidhanaeyam Charitable Trust's. The respondent has not chosen to appear.

The Inquiry Committee has heard the counsel for the complainant and finds no substance 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 decides to dismiss the complaint.

Press Council of India

S. No. 42

File No.14/422/18-19-PCI.

Complainant

Shri S. Gopal,
Puducherry.

Respondent

The Editor,
Samathuvam Magazine,
Chennai (Tamil Nadu)

Adjudication dated 22.8.2019

Facts

This complaint dated 26.11.2018 has been filed by Shri S. Gopal, r/o Puducherry against the Editor, Samathuvam, Weekly Magazine, Chennai (Tamil Nadu) for allegedly publishing false and defamatory article under the caption (English Translation) “King of usurious interest involved in smuggling of idols in Puducherry who came to Puducherry without having money to travel in a bus having properties to the worth of Rs.500 crores” in its issue dated November 22-28, 2018.

As per English translation provided by the complainant, it has been reported in the impugned news item that-

“Before 20 years Palco came from Sivagangai District and that time he don't even have cash for bus charge. Now the development of Mr. Palco has been admired by the people of Puducherry. It has been further reported that while working in the Finance company he took cash by making forged account. One day he was caught, they beat him and sent him out of the finance company. But today Palco property value is Rs.500 crores. How he suddenly became an owner of Rs.500 crores property. Palco had involved in all illegal way to increase his revenue. Palco belong to the former DMK Hindu Religion Department Minister constituency. This Sun Park owner Palco has played a vital role and he is the mastermind of statue smuggling. Many politicians, businessmen, owners of important arrack shops, bar and wine shops have got more amount as credit for heavy interest from Shri Gopal and given the properties to him itself without paying the credit and heavy interest back. If that amount is not paid he takes the properties and many politicians and businessmen lost their valuable properties mainly Sun Park Hotel belong to DMK's former MLA; Meenakshi Inn belong to N.R. Congress MLA; Krishna Guest House belong to a famous business. Now he is the shareholder of famous Biryani Hotel. It has been further reported that Palco owned many properties and he had not paid property and other taxes to the Income Tax Department.

Denying the allegations levelled in the impugned news item, the complainant has alleged that the respondent published false and misleading news item with a view to defame him, and the publication is also displayed as a wall poster in all newspaper vending shops with the caption “**Usury Interest King threatening Ex-MLA's and obtaining their property**”. The complainant has stated that on seeing this article, his friends, well-wishers, relatives started to call him, which put

him to mental shock and irreparable injury to his name and fame. In order to impress the readers, the respondent newspaper has included his name in the middle of the article and has also incorporated photos of buildings which don't belong to him. According to the complainant, all properties were purchased by him by obtaining loan from bank and obtaining permission from Puducherry Planning Authority. The complainant has further alleged that the respondent tarnished his image and breached the recognized ethics and standards of journalistic conduct.

The complainant has drawn the attention of the respondent on 26.11.2018 towards the impugned news item but to no avail. He has requested the Council to take necessary action in the matter.

No Reply

Show-cause notice was issued to the respondent-Editor, Samathuvam, weekly magazine, Chennai on 8.2.2019 but no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. Shri S. Gopal, complainant along with Shri H.D. Kumaravelu, Advocate appeared before the Inquiry Committee. There was no appearance on behalf of the respondent newspaper, Samathuvam, Weekly Magazine.

The Inquiry Committee has heard the Counsel for the complainant and has perused the complaint and all other connected papers. Despite service of notice, the respondent has not chosen to file any reply nor present before the Inquiry Committee.

It is the allegation of the complainant that the impugned news item is false and intended to malign the complainant. In the absence of any reply from respondent, the Inquiry Committee is inclined to accept the assertion of the complainant that the impugned news item is false and concocted. Accordingly, the Inquiry Committee recommends that the respondent magazine be Censured. A copy of this Order be forwarded to the DAVP and Director, Public Relations, the Government of Tamil Nadu 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 newsmagazine.

Press Council of India

S.No 43

F.No. 14/200/17-18-PCI

Complainant

Shri Santhosh Bharathi Guruji,
Ayyappa Temple,
Bejjavalli @ post,
Rthirthahalli Taluk,
Shimoga District,
Karnataka.

Respondent

The Editor,
Hi Bangalore,
Bengaluru,
Karnataka.

Adjudication dated 22.8.2019

Facts:

This complaint dated 07.08.2017 has been filed by Shri Santhosh Bharathi Guruji against the Editor, Hi Bangalore, Karnataka weekly Bengaluru alleging publication of false and defamatory news item in its issue dated 08.06.2017 under the caption "**Heinous myth of fraud Santhosh Guruji**".

According to the complainant it is reported in the impugned news item that "he has established Banta Peetha at Bakroor (place in Udupi district) and has built a resort type house there for himself. He has made a devils/ghosts orphanage. He has pronounced an edict to bring all the "ghosts" there. He and his family are engaged in cheating and they have constructed Ayyappa Temple with looted money. He arranged functions and called the richest people from the "Bunt community" and throws the spoof on them. He is publishing a newspaper "Kaliyuga Shilpi" and in that newspaper he introduced himself as Dr. Santhosh Kumar, Bejjavalli to encash the name of Santosh Kumar Gulvadi who was famous at that time and he used to roll call life time subscription in crores. By this he has established "Barkoor Samsthanaam" to procure crores of rupees. The Chief Minister of Karnataka, Siddaramaiah had arrived to inaugurate collection pit gravel centre of Santosh and he also declared giving 50 lakhs to him by his Government." It is also reported in the impugned news item that the father of the complainant faked a SSLC certificate in his wife's name who not even passed 3rd standard and availed the loan at Khadi Gramadyoga and thereby cheated the Government. It is also reported in the impugned news item that he got chance to participate in episode "Hello Doctor" at TV9 channel. The anchor, Radhika in the said channel used to call him as "Guruji, Guruji", then he planned why not he should become Guruji by wearing "Khadi."

Denying the allegations levelled in the impugned news item, the complainant stated that the article is false, frivolous and published with an intention to tarnish his image alongwith image of his father and Swamy Ayyappa Temple. He has further stated that in an earlier occasion he has instituted a civil suit for permanent

prohibitory injunction against the respondent and others before the Hon'ble District and Session Judge, City Civil Court at Bangalore in O.S. 6256/2014. The Hon'ble Court in its order has issued prohibitory injunction in his favour. He has also stated that despite orders of Hon'ble Court, the respondent is publishing false, defamatory and concocted articles in order to tarnish his and his organisation's image. The act of respondent is illegal, unjust and malafide.

The complainant vide notice dated 26.06.2017 drew the attention of the respondent on impugned news article but no response has been received. He has also written to the Deputy Commissioner, Bengaluru Urban District and The Police Commissioner, Bengaluru on 26.06.2017 and 21.07.2017 respectively.

A Show Cause Notice dated 05.09.2017 has been issued to the respondent for filing Written Statement.

Written Statement

The respondent in his Written Statement dated 09.10.2017 has stated that the complaint is misconceived. He has stated that the Civil Suit O.S. No. 6256/2014 by the complainant against several media, authorities and persons relating to same subject is pending before the Hon'ble XI Additional City Civil & Sessions Judge at Bengaluru (CCH-8). He has also stated that the same subject matter of defamation of the complainant cannot be questioned before two forums i.e. one before the City Civil Court, Bengaluru and another before the Council. He has stated that the matter published is true and correct and the same has been published in the public interest. The matter published is not defamatory. He has requested the Council to reject the complaint and drop the proposed proceedings against the opposite parties in the interest of justice and equity.

A copy of Written Statement has been forwarded to the complainant on 07.12.2017 for Counter Comments/information.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. Nobody appeared on behalf of Parties.

Despite service of notice, the complainant has not chosen to appear but filed an application for adjournment. The Inquiry Committee does not find any merit in this prayer and accordingly rejects the prayer for adjournment. The respondent has filed its written statement in which it has been stated that the complainant had filed case in respect of the same subject matter before the Additional City Civil & Session Judge at Bengaluru (CCH 8) and is pending before him.

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

Held

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

Press Council of India

S.No. 44

File No.14/378/18-19-PCI.

Complainant

Shri Prakash M. Swamy,
United Nations Correspondent/
Senior Journalist,
Chennai-(Tamil Nadu)

Respondent

The Editor,
Nakkheeran magazine,
Chennai (Tamil Nadu)

Adjudication dated 22.8.2019

Facts

This complaint dated 25.10.2018 has been filed by Shri Prakash M. Swamy, United Nations Correspondent/Senior Journalist, Chennai (Tamil Nadu) against “Nakkheeran Magazine” for allegedly publishing false, malicious and defamatory news article in its issue dated October 10-12, 2018 under the caption “Sex torture in the name of Modi”.

As per translation provided by the complainant, it has been reported in the impugned article that “the complaint in social media that an important person of the BJP giving sex torture to women has created excitement; who is that person? Is he really from BJP? Doubts were expressed how a person in public life could behave like this. It has been further reported that the affected woman, Ms. Gayathri contacted Nakkheeran and informed that she got married to Sainath, who was working in Hong Kong and died of heart attack. She got introduced to Sh. Prakash M. Swamy through Facebook. She had appealed on Facebook that if someone can help her to get a seal in her son’s passport from Hong Kong Indian Embassy. He assured her that he has good contacts in Delhi and he can meet Mr. Modi personally. She further informed that then she called him at home but suddenly he touched her in a wrong place. She was shocked and scolded him away. After three months, he apologized to her but he did not change despite her warnings. Thereafter, he posted wrong messages and said to her that “there are allegations that you had killed your husband and using the name of a magazine he said he will publish an article and defame you”. It has also been reported that “the complainant wrote an article in a leading weekly that her husband died under suspicious circumstances. According to the impugned news report, she had given several complaints against Shri Prakash M. Swamy regarding sex torture but no action was taken. It has been reported that they asked Shri Prakash M. Swamy for his comments and he said “all the allegations of Ms. Gayathri Sai are false and the reason behind all this is because he is showing interest in the suspicious death of her husband. He met her only three times and all the three times were outside her house”. He also denied sending any message to Nakkheeran. It has been further reported that “the blatant complaint and unsatisfactory answer remain top in this matter and questions are being asked what action the police department had taken in his case. Only questions remain.”

Denying the allegations, the complainant has stated that the article refers to an interview allegedly given by a supposedly movie group dancer and a former model

Ms. Gayatri Sai. She has intentionally accused him of sexual misconduct. According to the complainant, he has been investigating the death of Shri Sainth, who died under mysterious circumstances in Hong Kong and his mortal remains contrary to legal procedure was dispensed with by Ms. Gayatri Sai. She has also gained monetary benefit from his death. Despite there being no proof or particulars of the incident she had accused him including date, time or location of a purported crime, article has been published. The complainant has alleged that the respondent unnecessarily drags the name of Honourable Prime Minister Shri Narendra Modi and has made disparaging comments to defame the name of the global leader. The complainant has further alleged that the report is contrary to truth and no effort was made to confirm the truth by the respondent. The complainant has stated that this charge is nothing but an assault on and abuse of freedom of the media and the respondent used this opportunity to ridicule him. The complainant has stated that he drew the attention of the respondent. He has requested the Council to take appropriate action against the respondent for its malicious campaign against him.

Show-cause notice was issued to the respondent-Editor, Nakkheeran, Chennai on 19.12.2018.

Written Statement

Shri Ram Sankar, Advocate for the respondent-newspaper, Nakkheeran magazine vide written statement dated 14.01.2019 while denying the allegations has stated that the complaint is false and misleading. The respondent has further stated that the impugned publication was made in a good faith, as a fair comment, giving a warning to the public that a person claiming to have international media contacts was trying to misuse the name of people holding higher position including the Prime Minister to make ordinary persons believe that he is very influential and he can do anything. The complainant's version was also heard in detail and was included in the impugned publication. The respondent has stated that one Smt. Gayathri Sai contacted Nakkheeran and alleged that she has undergone sexual torture by the complainant. He has also stated that the entire article is based on police complaint and filled with the statements of Smt. Gayatri, Mr. Agni and the version of the complainant. He has requested the Council to close/dismiss the complaint.

A copy of the written statement was forwarded to the complainant on 18.1.2019.

Counter Comments

The complainant vide his counter comments dated 16.01.2019 while reiterating his complaint has stated that the impugned publication was certainly written with malice. The respondent editor harboured hatred against him as he took the circulation of Junior Viketan magazine of which he was the Executive Editor to new heights surpassing the circulation of respondent's magazine by leaps and bounds. The complainant has further stated that as he is no longer the executive editor and the circulation of Junior Viketan has fallen drastically since he left. The complainant has also stated that the respondent has no evidence or solid proof that he misused the name of Prime Minister. According to the complainant, the reporter did not reveal that he was doing a story and was talking like a professional colleague. The complainant has stated that writing a story based on CSR filed is against the

ethics of journalism as any crime reporter would vouch. He has categorically stated that there is no criminal investigation pending against him as on date and he was not called even once to the Adyar All Women Police Station for inquiry based on the complaint of Ms. Gayatri Sai. The complainant has further stated that this is a clear cut evidence of professional jealousy, hatred, vendetta, caste considerations and political affiliations visible in the report. He has also stated that this is not the first time that the publication is mired in controversy. He has stated that the respondents are known to write scandalous reports without any evidence or proof and had argued in the court that the accused should prove not guilty.

A copy of the counter comments was forwarded to the respondent on 7.2.2019.

Further communication dated 11.6.2019 received from the respondent

The respondent-Shri Nakkheeran Gupta, Editor, Nakkheeran, Chennai vide his letter dated 11.6.2019 while reiterating his written statement has stated that a criminal complaint has been lodged before police by one Mrs. Gayathri Sai against the complainant for sexual assault and on the basis of her statements and documents provided by her they have published the news item. The respondent has further stated that recently said Mrs. Gayathri Sai forwarded a copy of FIR No.1/2019 lodged against the complainant for the offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 by All Women Police Station, Royapettah, Chennai on 27.5.2019. He has requested the Council to drop enquiry in the matter.

Communication dated 14.6.2019 received from the complainant

The complainant-Shri Prakash M. Swamy, Chennai while reiterating his complaint has stated that he had submitted all the documentary evidence to prove it's actually blatantly a false case. He has further stated that Mrs. Gayathri Sai had filed two similar complaints of woman harassment in two different All Women Police Stations and the case did not go beyond receipt of the complaint stage as the police were themselves convinced that there is no case. According to the complainant, with a view to take revenge Mrs. Gayathri approached to the Magistrate giving false address and information under Perjury and he had duly informed the court. Moreover, this FIR is a recent development post publication of the article in question and there was nothing against him when the impugned article was published.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. The complainant, Shri Prakash M Swamy appeared in person. Shri Tejaswi Reddy, Advocate represented the respondent Editor, Nakkheran.

The Inquiry Committee has heard the complainant as also the counsel for the respondent and has perused the petition of complainant, written statement and all connected papers. The Inquiry Committee is of the opinion that the respondent magazine had basis for the publication of the impugned story. Not only this, the complainant version has also been given in the story. The Inquiry Committee is of

the opinion that the respondent magazine has not violated any code of conduct so as to call for action by the Council.

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

Held

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

Press Council of India

S. No.45

File No.14/503/18-19-PCI.

Complainant

Shri S.M. Hatti,
Block Education Officer,
Deodurga,
Raichur (Karnataka)

Respondent

The Editor,
Benki Bevaru,
Kannada Fortnightly,
Raichur (Karnataka)

Adjudication dated 22.8.2019

Facts:

This complaint dated 24.12.2018 has been filed by Shri S.M. Hatti, Block Education Officer (BEO), Raichur, Karnataka through his advocate against “Benki Bevaru”, Kannada fortnightly for allegedly publishing baseless, fictitious and defamatory news items. The captions and dates of the impugned news items are as under:

S. No.	Edition	Caption (Translation provided by the complainant)
1.	August 1-15, 2018	Malnourished BEO, S M Hatti in Devdurga
2.	November 16-30, 2018	Money worm BEO in Devdurga Taluq
3.	December 1-15, 2018	Corrupt BEO in Devdurga
4.	December 16-31, 2018	BEO has become prickly to Edu Department : Devadurga
5.	January 1-15, 2019	BEO has become prickly to Education department
6.	January 16-31, 2019	BEO has become prickly to Education department

As per English translation provided by the complainant, it has been reported in the impugned news item dated August 1-15, 2018 that

In Devdurga Education Department is a malnourished officer, who has been attached to the Block Education Officer (BEO) seat. Do you know who is he? Basically he is from Vijayapura district. The present MLA is working hard to make Devdurga Taluq as Kashi of education or knowledge. But this malnourished BEO has become headache to all his efforts and hence he is a Anacin Customer SM Hatti Saheb.

Describing the complainant as an officer as BEO of Devdurga Taluq who don't have self esteem and profound even the dog has, misusing Govt. vehicle given by department. He is a third class BEO, got this infamy and no doubt he will enclose the education system and make it Diwali.

One of the impugned news items states that “Hatti Saheb (complainant) rarely comes on time in office. Only Hatti Saheb should tell when he will come to office and go out? The person who has the responsibility to control educational administration of taluq should follow office time and should become model to teacher's community. Hatti Saheb

proved that there is no meaning for the word 'Time Sense' in his dictionary and he has fixed a rate to make green ink signature. The teacher's community is abusing that it is only pending to put the board of 'No Free Service in BEO Office.

The complainant has alleged that the allegations made against him are all false, baseless, concocted and created without any base and valid reasons, which are causing great hardship and have ruined his image, dignity and fame in the Department as well as in public. According to the complainant, he is working as Block Education Officer, Raichur and is discharging his duties to the best satisfaction of Education Department in the interest and welfare of all students, teaching and non-teaching staff in Deodurga Taluka without making any discrimination and partiality and also without misusing the official power and public money including the Government vehicle etc. The complainant has alleged that the impugned news items have defamed him and has negatively affected his career.

The complainant drew the attention of the respondent towards impugned news items on 24.12.2018 but no response was received. He has requested the Council to take action against the respondent.

Show Cause Notice was issued to the respondent-Editor, Benki Bevaru on 27.2.2019.

Written Statement

Shri Shivaraj Dore, Editor, Benki Bevaru vide his written statement dated 19.03.2019 while denying the allegation levelled in the complaint has stated that Devadurga Block academically is the most backward place in the world and in this situation the complainant deputed teaching staff for non teaching work to other departments like social welfare department as Hostel wardens, like BCM (Backward Communities and Minority) department as a hostel wardens and PA to MLA against the Supreme Court directions and State Commissioner of Public Instructions, Bangalore orders. The respondent has further stated that the complainant deputed some teachers illegally in Blocks and Devadurga Block is again academically declining. According to the respondent, BEO vehicle driver was deputed to other department but after publishing the news his deputation was cancelled and presently he is working in BEO, Devadurga Block. He has further stated that the complainant is misusing Govt. vehicle in holidays also. He has also stated that he has published the news item in public interest. The respondent has denied having received legal notice dated 24.12.2018.

Counter Comments

The complainant vide his counter comments dated 8.5.2019 and 27.06.2019 while reiterating his complaint has alleged that the Publisher of respondent newspaper has blown his professionalism in air and started blackmailing government officers. The complainant has informed that some reporters sent the image of press clippings to him with a view to blackmail him. When he said that he will fight in the Court, they changed the title to "Devadurga BEO Hatti or Katti (Donkey)", which shows the false efficiency on their profession. The complainant has stated that he has no right to depute the teachers to other departments. He has not done such flaws in his service. The complainant has further stated that he

uses only his personal vehicle in holidays and for his personal works. He has not used government vehicle in holidays. According to the complainant, his photograph published in the newspaper was taken when an issue against a lady teacher, Ms. Geeta Mulimani was raised in Jalahalli. Actually, the organizations should sit for strike in front of DDPI office as he is authorized person to solve and give deputation to different Taluka but Press Reporter Shri Shivaraj Dore purposefully made the organization members to sit strike in front of BEO office and made noise against him. The complainant has informed that they fixed CCTV Cameras in Education Department due to which the respondent playing blackmailing tricks from outside. The complainant has alleged that the respondent published senseless matter. He has requested the Council to take necessary action against the respondent.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. The complainant, Shri S.M.Hatti along with his Counsel appeared in person. Shri Shivraj Dore, Editor and his Counsel appeared on behalf of the respondent newspaper.

The Inquiry Committee has heard the counsel for the complainant as also the counsel for the respondent and has perused the complaint, the written statement and all other connected papers. The Inquiry Committee is of the opinion that the respondent fortnightly had no basis for publication of several stories against the complainant one after another. Not only this, the language of the story is offensive. In these circumstances of the case, the Inquiry Committee is of the opinion that the respondent newspaper has violated the Code of Conduct and deserves to be **Censured**.

The Inquiry Committee, accordingly, **Censures** the respondent fortnightly. A copy of this order be forwarded to the Director, DAVP and Director, Public Relations, Government of Karnataka 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.

Press Council of India

S. No. 46

F.NO. 14/370/17-18 PCI

Complainant

Shri S.C. Mageshkumar
Advocate
Gidiyattam,
Tamil Nadu.

Respondent

The Editor
Vilmurasu
Bahadur Street
Chennai.

Adjudication dated 22.8.2019

Facts:

This complaint dated 26.11.2019 has been filed by Adv. S.C. Mageshkumar from Gidiyattam, Tamil Nadu against the Editor, Vilmurasu Daily, Chennai, for allegedly publishing a false, misleading and defamatory article in its issue dated 20.11.2017 in pg no.2 of the newspaper with a photo of the complainant, captioned (translated to English) "***become false advocate of Mageshkumar Gudiyattam***"

The alleged impugned news item reports that the Bar Council of Tamil Nadu and Puducherry has prohibited 742 advocates from practicing law after they were found to be without the basic educational qualification required for being a legal practitioner. They have obtained degree from Open University. This violates the provisions laid under the Bar Council of India Act and Rules. Since clearing the All India Bar Examination within two years of issuing enrolment number is mandatory, advocates those who have not cleared or appeared in the Bar Examination as per the Order of the Madras High Court are prohibited from practicing law before any Court. On 3rd July 2015, the Madras High Court has ordered suspension of 1025 Advocates who did not clear the Bar Exam. It has also ordered for verification of the law degree certificates, as few lawyers were reported of not having completed their 12th standard and after obtaining degree from Open University, they have obtained Law degree.

According to the complainant, he is an enrolled advocate who obtained his enrolment number in the year 2015 and yet to clear the All India Bar Examination, however, the respondent newspaper has published the defamatory article against him along with his passport photo which is highly objectionable and misleading. This impugned news item has tarnished his reputation and his legal career is put at stake.

The complainant further informed vide letter dated 22.12.2017 that a communication dated 20.11.2017 has been sent to the respondent editor for publishing an apology. But received no response and the publication of defamatory news item kept continuing and allegedly the complainant was threatened by the reporter, Sh. S. Moorthy to pay him money for discontinuing the defamatory publications.

Reply Filed by the Respondent

A Show Cause Notice dated 8.02.2018 has been issued to the respondent. In reply, a written statement dated 8.2.2019 has been filed by the respondent that denies the allegations levelled against it by the complainant. The respondent submitted that an F.I.R. dated 1.8.2017 was filed against the complainant for misuse of the designation of an Advocate in illegal land grabbing and other exploitation cases. These incidents were covered by the respondent newspaper in past. It has also submitted that Bar Council, Tamil Nadu issued notice to suspend Advocates who failed to clear the All India Bar Examination and in the list of unsuccessful candidates at serial number 253, the complainant's name is mentioned. So as per respondent's submission they have published the news in public interest to save general public from the deceptive practices of the complainant who continued his legal practice illegally even after getting disenrolled from the Bar Council Tamil Nadu. The respondent submits that no violation of ethics was carried out in this matter infact the right thing has been done by letting public know the truth about the complainant and this would prevent the society from further exploitation. It also submits that the news has been published after doing the ground work and proper scrutiny of documents and nothing has been done out of vengeance and denied the allegation of extortion and blackmailing from the complainant. The respondent has requested for dismissal of the matter.

A copy of the reply filed by the respondent has been forwarded to the complainant on 2.4.2018.

Counter Reply Filed by the Complainant

In response to the reply filed by the respondent the complainant vide letter dated 17.4.2018, the complainant submitted that he has cleared the XIth AIBE and the result has been submitted with the reply and the allegations levelled against him by the respondent are all false and baseless. The complainant also denied filing of F.I.R against him and stated that the respondent in his reply submitted that they have covered a story about an FIR lodged against the complainant which according to the complainant was never filed which proves that the respondent has indulged in publishing wrong stories about the complainant on regular basis and hence necessary action be taken against the respondent.

A copy of the counter comments was forwarded to the respondent on 7.5.2018 for information.

Report of the Inquiry Committee

The matter came up before the Inquiry Committee on 27.6.2019 at Hyderabad. The complainant, Shri S.C. Mageshkumar appeared in person. Shri S. Panneerselvam, Editor and Shri M. Ezlumalei, Advocate represented the respondent newspaper, Vilmurasu.

The Inquiry Committee has heard the complainant as also the counsel for the respondent editor. The Inquiry Committee has also perused the complaint, the reply and all other connected papers. The complainant admitted that his name finds place in the list of 1025 Advocates. His only grievance is that while his name finds in the

list but the respondent had chosen to publish only his photograph in the newspaper. The Inquiry Committee finds no substance in the grievance of the complainant. It is not possible for the newspaper to publish the photographs of all the 1025 Advocates and they have to choose one or another photograph for publication. The complainant is unable to point out any malafide reason for that. Accordingly, the Inquiry Committee finds no merit in the complaint and recommends for its dismissal.

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

S. No. 47

F.NO. 14/168/18-19-PCI

Complainant

Shri S.C Mageshkumar
Advocate
Nadupet, Gudiyattam.

Respondent

The Editor
VilVoice
English & Tamil Magazine
Chennai.

Adjudication dated 22.8.2019

Facts:

This complaint dated 31.5.2018 has been filed by Shri S.C. Mageshkumar, Advocate, Nadupet, Gudiyattam, against the Editor, VilVoice, English & Tamil Magazine, Chennai for allegedly publishing defamatory, untrue and misleading article in its issue dated April 17-31, 2018 captioned "*Own to Gudiyattam Municipality Government Place – encroached Never Looked – by Commissioner*". (English translation)

The report states that the rent of 7 shops that are situated in Chunnambupettai Municipality near the old bus stand in Gudiyattam, Vellore district, are collected by Mr S.C. Mageshkumar (complainant) who is encroaching on nine feet land of the Government. The real owner of the shops is Mrs Sasikala who by registered will has stated that her property shall belong to her daughter Ms Rajraajeswari. The complainant had secretly got electricity connection installed in those shops and the connection has been done in his name. A case of dispute over property is pending before the Court of law.

The complainant submits that the allegations levelled against him in the news item are baseless and was done with a malicious intention to tarnish his image. The complainant vide letter dated 8.4.2018 asked the respondent to publish an unconditional apology. However, he did not receive any satisfactory response from the respondent. The complainant submits that by publishing the report the respondent had also committed contempt of Court as the matter is pending before the 1st Addl. District Judge at Vellore. The complainant, therefore, has requested the Council to take necessary action against the respondent in the matter.

Reply Filed by the Respondent

A Show Cause Notice dated 4.7.2018 was issued to the respondent newspaper. to which the respondent vide letter dated 3.9.2018 accepted that a news regarding alleged encroachment on public road near Gudiyattam Bus Stand appeared in its April 2018 issue of the magazine which he submits to be based on authentic information received from one of the reader of the Magazine Mr Selvam from Gudiyattam Municipality on 19.5.2017 about encroachment and a pending case before the Civil Court. After due verification about the encroachment, the news item was published in which it has requested that an investigation of the encroached land

may be carried out by the administration. The respondent also submitted that he is being threatened by the complainant and has published the report questioning the illegal encroachment in good faith and in public interest. He has requested for the dismissal of the complaint.

A copy of the response of the respondent has been forwarded to the complainant vide letter dated 28.9.2018.

Counter comments of the complainant

Vide letter dated 6.10.2018, the complainant submitted that the written statement of the editor of VILVOICE, English & Tamil magazine is nothing but false and untrue statement that has been submitted to escape punishment and fabricated documents are filed. Further the complainant submitted that his ancestor or he himself never encroached any government land or private property and for proof he has submitted a copy of the electricity bill issued in his name by TANGEDCO (Tamil Nadu Electricity) as the connection is registered by his name which proves that he is the real owner of the property. With his earlier and present submission, the complainant pleads the Council to take stringent action against the respondent in the matter.

A copy of the counter comments was forwarded to the respondent on 25.10.2018.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. The complainant, Shri S.C. MageshKumar appeared in person. Shri S. Panneerselvam, Editor and Shri M. Ezlumalei, Advocate represented the respondent newspaper, VilVoice.

The complainant is aggrieved by a story published in the respondent magazine in its issue dated April 17-31, 2018, in which it has been stated that the complainant has encroached nine feet land of the government. It is the assertion of the complainant that he has not encroached the land as alleged in the story and in fact, he has a decree in his favour rendered by the civil court.

The Inquiry Committee has heard the complainant and counsel for the respondent and has perused the complaint and the entire record. In the facts and circumstances of the case, the Inquiry Committee gives liberty to the complainant to give clarification to the respondent magazine within two weeks. The respondent magazine on receipt of the same shall publish the clarification within four weeks thereafter. The respondent after publication of the clarification shall send a copy of the same to the complainant as also to the Secretariat of the Council.

The Inquiry Committee, accordingly, recommends for disposal of the case with the aforesaid directions.

Held

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

Press Council of India

S.No.48

File No.14/527/18-19-PCI.

Complainant

Shri Girijesh,
Chennai,
Tamil Nadu

Respondent

The Editor,
The Telegraph,
Kolkata (West Bengal)

Adjudication dated 22.8.2019

Facts

Shri Girijesh, Chennai (Tamil Nadu) has filed this complaint dated 15.1.2019 against the Editor, "The Telegraph", Kolkata edition for allegedly publishing objectionable and derogatory headline i.e. "**Macabre Sankranti**" on the front page of its issue dated 15.1.2019 in relation to framing of sedition charges against three students of Jawahar Lal Nehru University by the Delhi Police.

The complainant has stated that "**Makar Sankranti**" festival is celebrated pan-India with much gaiety by majority of Indians with locally variant names and he is hurt by the newspaper terming "Makar" as "Macabre". Dictionary meaning of the word "Macabre" is ghastly/ghoulish/gruesome etc., which shows that the respondent newspaper has insulted the people on their festival occasion by calling the name "Macabre". He has alleged that the respondent has hurt the religious sentiments of Hindus by publishing derogatory headline and intention of the respondent is clear i.e. to insult and ridicule Hindu sentiments.

He further submitted that an email dated 15.1.2019 was sent to the respondent for publishing apology but neither he received any reply nor the respondent published the apology. He has requested the Council to take necessary action in the matter.

No Reply

A Show-Cause Notice was issued to the Editor, The Telegraph, Kolkata on 29.4.2019 but no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 27.6.2019 at Hyderabad. Mr. K. Karuna Sagar, Advocate appeared on behalf of the complainant. There was no appearance on behalf of the respondent Editor.

The Inquiry Committee has heard the complainant and has also perused the record and is of the opinion that the grievance made by the complainant is absolutely misconceived.

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

S. No. 49

File No. 14/467/18-19-PCI

Complainant

Shri Niranjan Barman,
OSD to the Speaker
Tripura Legislative Assembly,
Agartala.

Respondent

Shri Uttam Chakraborty
Editor,
"BITIRNA",
Bidurkarta Chowmuhani,
Agartala.

Adjudication dated 22.8.2019

Facts

This complaint dated 10.12.2018 has been filed by Shri Niranjan Barman, OSD to the Speaker, Tripura Legislative Assembly, Agartala against the Editor, BITIRNA, a local Bengali newspaper for allegedly publishing false and derogatory news item in its issue dated 26.11.2018 under the caption "**OSD NIRANJAN INSULTED THE ASSEMBLY**".

As per English translation provided by the complainant, it has been reported in the impugned news item that when the ruling party is in an awkward position with the Speaker of the Assembly, similarly Speaker himself also in an awkward position. A pain of OSD named Shri Niranjan is sitting on his neck. Earlier, Shri Niranjan Barman worked in the Government. The officer after retirement from government service is now sitting on the neck of the speaker, Mr. Rebati Mohan Das by deceive. Through it, Shri Amla Babu Niranjan at last started reaping full advantages after Mr. Rebati Mohan Das became the Speaker. Suddenly he was appointed OSD to the Speaker. It was not known whether there was any OSD earlier to any Speaker of the Assembly. Probably, the newly elected Speaker thought after taking help of OSD Shri Niranjan, he will be successful in running the Assembly. But those who are expert on Assembly proceeding give advice to the speaker on how to complete the job. Thereafter, OSD Shri Niranjan starts teaching. As a result everybody knows what kind of misery is born in the assembly. OSD Shri Niranjan not only is sitting on the Speaker but also insulted the assembly. The reason is that there is a specific guideline on who will enter the Assembly floor. Regularly, OSD Shri Niranjan enters inside the Assembly illegally. He does not bother to heed to the repeated advices of the officers. For this, there is intense anger in the Assembly. Specially, entry into Assembly without permission is not only illegal but also a violation of Assembly rules. Now who will take hold of the reins of OSD Shri Niranjan.

Denying the allegations levelled in the impugned news item, the complainant has alleged that the impugned news item is totally false, baseless and concocted and it has been published to malign him, the Speaker and the institution which is one of the state organs in a democratic setup. The complainant has further alleged that the language used in the news is derogatory and in bad taste and the respondent has

failed to maintain the standard of ethics of journalism. The complainant has stated that the freedom of Press does not give total freedom to ingress into one's personal affair without knowing anything.

The complainant has submitted that he sent a letter on 10.12.2018 to the respondent-editor seeking clarification and asked him to substantiate the news point-wise but the respondent refused to accept the letter and the postal authority returned it to him undelivered. He has requested the Council to take appropriate action in the matter.

Show-Cause notice was issued to the Editor, "BITIRNA", Agartala on 26.02.2019

Written Statement

Shri Uttam Chakraborty, Editor, Bitirna, Agartala vide his written statement undated written statement, received in the Secretariat of the Council on 8.5.2019 has stated that the impugned news item does not deal with any personal affairs of the complainant. According to the respondent, the complainant was a Indian National Congress candidate contesting from Amarpur Contituty of the State of Tripura in the year 2013. At present, Bharatiya Janata Party has come to power in the State of Tripura on 3.3.2018 and thereafter the complainant has been appointed as OSD to Speaker, thus, the impugned news item either deals with political affiliation of the complainant or his role as a civil servant. The respondent has further stated that the impugned news item nowhere deals with the private or personal affairs of the complainant, thus, the impugned news item does not ingress into the personal affairs of the complainant. The respondent has submitted that the Secretary of Speaker Tripura Legislative Assembly vide letter dated 28.11.2018 had requested for publishing a "protest" news item. Accordingly, on 21.3.2019 the "protest" news item has been published in his newspaper. The respondent has informed that for the last few months he was involved otherwise in his family affairs and he was completely in dark about the impugned news item. The respondent has further informed that the impugned news item was carried out by one Senior News Editor namely Shri Dilip Ratan Dasgupta and after he came to know about the impugned news item, he terminated Shri Dasgupta and the notice of such termination was published in his newspaper on 21.3.2019. Thus, the remedial measures have already been taken by him including publication of protest news item and termination of the concerned news person who carried the impugned news item. He has requested the Council to drop the proceeding in the matter as remedial steps have already been taken.

Counter Comments dated 21.6.2019 and 3.7.2019 received from the complainant

The complainant, Shri Niranjan Barman, OSD to Speaker, Tripura Legislative Assembly, Agartala vide his counter comments dated 21.6.2019 while reiterating his complaint has stated that the respondent did not try to respond any of the questions raised by him to prove the authenticity of the impugned news which relates to a constitutional functionary and his aid OSD to the Speaker. According to the complainant, the respondent indirectly accepted the fault of the news item and informed the council for termination of the reporter, Shri Dilip Ratan Dasgupta but did not specify the reason for his termination after almost four months of news publication. Simultaneously, the respondent has also responded to a protest letter

which was sent to him by the Secretary, Tripura Legislative Assembly on 28.11.2018 with a request to publish protest on the next issue of the paper but the respondent totally ignored the same and published only on 21.3.2019 on receipt of show-cause notice from Press Council but without any regret. The complainant has further submitted that on 21.3.2019 the respondent published a news on which the complainant had raised some basic questions on the authenticity of the news but again published some news quoting him which is totally false and baseless. The complainant has stated that the respondent did not show any regret for such false news.

Shri Niranjana Barman, complainant vide another letter dated 3.7.2019 has submitted that as per information provided by the respondent Editor, the Chief News Editor has been terminated and the newspaper purportedly published the photocopy of dismissal Order but date of publication of news and effective date of termination and reasons for terminations were not indicated. He has requested the Council to take action in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. Shri Abhishek Kumar, Advocate represented the respondent Editor.

Despite service of notice, the complainant has not chosen to appear. The respondent newspaper has filed the written statement, in which it has been stated that after the editor came to know about the impugned news item, a corrigendum was issued. It has further been stated that the editor was absent at the time when the impugned news item was published and the service of the Chief News Editor working at that particular point of time has been terminated.

The Inquiry Committee has perused the complaint, the written statement and all other connected papers and in the absence of the complainant, 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 decides to dispose of the complaint.

Press Council of India

S. No. 50

F.NO. 14/204/18-19-PCI

Complainant

Ms. Kicydora Nongsiang
D/o- Muwell Kharbani
Nongpathar, West Khasi Hills
District
Meghalaya

Respondent

The Editor,
The Shillong Times,
Shillong
East Khasi Hills District
Meghalaya

Adjudication dated 22.8.2019

Facts

This complaint dated 6.7.2018 has been filed by Ms. Kicydora Nongsiang, D/o- Muwell Kharbani from Nongpathar, West Khasi Hills District against The Editor in Chief of The Shillong Times, Shillong, East Khasi Hills for publication of objectionable and defamatory news item in its issue dated 8.6.2018 captioned “*When Periphery Strikes*”.

The news item/article reports how a whatsapp message forwarded by someone had led to the imitation of a battleground/riot in the hills of Meghalaya. According to the author, the social media played a crucial role in creating a turmoil situation in the hills where an misinformation/rumour was spread via whatsapp message that a Sikh girl was assaulted in Shillong, Mangolia. The author says that this altercation between young women of one community and youth of another should not have conflagrated had the police have booked the wrongdoers timely and it could have been stopped by the peace diffusers. The police failed to track down the whatsapp messenger who spread the fake news that initiated the turmoil. The author have also expressed her displeasure in the article against the Government whose immediate step in order to stop the spread of fake news/rumours and the riot situation was barring the internet connection for a week. This added to the hardships of the local communities who had to bear the price. In this connection, to the spread of rumour followed by creation of battle field in the hills, the author quoted a Former Home Minister of Meghalaya RG Lyngdoh who said this “youths are paid to throw stones like that in Kashmir”. In another recorded statement, where a Rangbah Shnong (headman selected in a locality to look after the welfare of the community) of the area was quoted saying that “he spotted food packets and bisleri bottles on the street while taking a morning walk”. Further the article has reported “that a mob does not bring food and other essentials with it. This is a group that is paid to create trouble and they were imported from West Khasi Hills – one of the most backward districts of Meghalaya with no revenue generations” followed by concern of the author whether the police will ever succeed in tracking the provocateurs. Later on the author has appealed the MDA Government to rewrite the bill in order to make it more inclusive, participatory and democratic so that even the backward people of the region gets equal opportunities for their development and should not have the feeling of being left out or neglected.

The complainant submitted that the respondent newspaper has made a vague and baseless comments on the people of West Khasi hills without any evidence

and labelled them as criminals with the presumption that they have played a major role in contributing to a riot (stone pelting) situation that is reflected in content of the said news item "*this group is paid to create trouble*" which, according to the complainant is wrong and objectionable as it hurts the sentiment and demeans the image of the tribals of West Khasi hills region. The complainant alleges that the reported news item is false, baseless and amounts to the breach of Article 19(2) of the Constitution of India. Even the title of the news item "*When the Periphery Strikes*" is inaccurate, sensational, baseless and misleading assertion which is being passed off as a fact. Hence, the complainants have objections with the title and contents of the news report that unnecessarily makes comment on the economic condition of the people of the West Khasi Hills stating them as one of the most backward district of Meghalaya is unacceptable.

Further, the complainant submitted that vide letter dated 6.7.2018 she has expressed her grievance and objection against the alleged impugned news item to the respondent editor calling for issuing corrigendum in its newspaper on the front page against the defamatory article about West Khasi Hills people. However no response was received on the same.

The complainant has requested that necessary action be taken against the respondent newspaper to restrain it from publication of defamatory news items.

Reply Filed by the Respondent

A ShowCause Notice dated 24.8.2018 was issued to the respondent newspaper. The respondent vide its written statement dated 10.9.2018 submitted that as editor she has been writing articles for the newspaper on prevailing social and economic issues in Meghalaya such as against ethnic violence, diminishing returns of militancy in State of Meghalaya which raged since 1979 to about 2001 and also in whole of the North-Eastern states. The views written in the articles are her own views and the newspaper does not subscribe to it. She further submitted that she has written articles for national newspapers like The Statesman, The Hindu, The Indian Express that testifies her non-partisan and absolutely free and frank analysis of various situations in this zone of conflict.

The editor further submitted that in Meghalaya there is one sect that is Mazhabi Sikhs who resides at the sweeper lines they had a fight over the parking of a Public Bus that was blocking their route to sweepers line a fight arose on that as it was suspected few Sikh had physically attacked the driver's minor sons and nephew who were sitting inside the bus when the driver parked the bus to have tea. On the same evening, a riot situation arose as the Public transport employees who were mainly from West Khasi Hills came to show solidarity with their compatriots who have been assaulted even though the matter was settled between the actual parties in the police station the same day. The CM in his statement said that this riot is being provoked and a paid one. So the editor has tried to cover this story from a humane angle stating that how rising unemployment and negligence prevailing in the West Khasi Hills have made the youth susceptible to bad influences and they are being used by people in power to carry out riots. The editor has stated that by mentioning '*West Khasi Hills as being backward area*' she did not mean that the people are backward but tried to address the burning issues such as lack of opportunities and youth unemployment in the region that is holding back the development in West Khasi hills.

She further stated that she did not receive any rejoinder from the complainant that is to be published by her newspaper but had received a legal notice for publishing an apology. She further submitted that by filing a complaint against Shillong Times, the complainant has targeted the newspaper as they have become the soft target between all these political games.

A copy of the written statement of Shillong Times was forwarded to the complainant vide letter dated 14.9.2018.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. There was no appearance on behalf of the complainant. Mr. Prakash Chandra Agarwal, advocate appears on behalf of the respondent newspaper and states that offending part shall be withdrawn from the website and *corrigendum* shall be issued in the print edition of the newspaper.

In view of the aforesaid assurance, the Inquiry Committee is not inclined to proceed in the matter any further. The respondent shall publish the *corrigendum* within two weeks and forward a copy of the same to the Secretariat of the Council within one week thereafter. It is made clear that in case, the *corrigendum* is not issued, as has been stated, the complainant shall be at liberty to bring that to the notice of the Council and in that case, the Council may consider reviving the case.

With the aforesaid directions, the Inquiry Committee disposes of the complaint.

Held

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

Press Council of India

S.No. 51

F.No.14/421/18-19-PCI.

Complainant

Shri Saurabh Priyadarshi,
Principal,
J.S.M. D.A.V. College,
Bhaga,
Dhanbad (Jharkhand)

Respondent

The Editor,
Dainik Bhaskar,
Dhanbad,
Jharkhand.

Adjudication dated 22.8.2019

Facts

This complaint dated 2.11.2018 has been filed by Shri Saurabh Priyadarshi, Principal, J.S.M. D.A.V. College, Bhaga, Dhanbad (Jharkhand) against the Editor, Dainik Bhaskar, Dhanbad for allegedly publishing false, fabricated and defamatory news item in its issue dated 1.8.2018 under the caption “4 कमरा, 5 बेंच व 20 कुर्सियों वाला जेएलएसएम बन गया कालेज 1269 छात्रों का फर्जी नामांकन दिखाकर जैक सेले लीमान्यता”.

It is reported in the impugned news item that a coaching center of four rooms, five benches and twenty chairs in Bhaga has now become a recognized college by naming it JLSM DAV Inter College. This college has claimed admission of 1269 students with having only five benches and twenty chairs and the Jharkhand Academic Council also given recognition to this college in the faculties of Arts, Science and Commerce. It is further reported that an Investigation team of Education Department has given its report to the Director of Secondary Education Director which The enquiry report says that the structure of the institute is not worth for a college and it is fraudulently recognized.

Denying the allegations levelled in the impugned news item, the complainant has alleged that the respondent published false, baseless and fabricated news on front page under a conspiracy with a view to malign the image of the college. According to the complainant, the impugned news item reflects the incapability, insincerity and involvement in conspiracy of the Editor, Shri Rakesh Pathak, who was persuaded and managed by a bribe collection agent, Shri Arun Kumar Singh of the District Education Officer of Dhanbad, Smt. Madhuri Kumari. The complainant has stated that if the admission of 1269 students in class XI of their college is false, then how the registration forms of 1170 students were forwarded by the District Education Officer to the Jharkhand Academic Council, Ranchi. The complainant has further stated that there are total 12 rooms in the College and besides two rooms are under construction. The complainant has also stated that they were not consulted before publication of the news article. The complainant drew the attention of the respondent towards the impugned news item on 6.9.2018 but to no avail. The complainant has requested the Council to take appropriate action against the respondent.

No Reply

Show-Cause notice was issued to the Respondent-Editor, Dainik Bhaskar, Dhanbad on 12.2.2019, but no response was received. Reminder was issued to the respondent on 22.6.2019.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. Shri Saurabh Priyadarshi, complainant appeared in person. Shri Ravi Mishra, Journalist represented the respondent newspaper, Dainik Bhaskar.

The Inquiry Committee has perused the complaint and all other connected papers and is of the opinion that the respondent newspaper had the basis to publish the impugned news. The Inquiry Committee does not find any substance in the grievance of the complainant 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

S. No.52

F.No. 14/524/17-18-PCI

Complainant

Shri Avinash Kumar,
Begusarai,
Bihar.

Respondent

The Editor,
Dainik Bhaskar,
Bihar.

Adjudication dated 22.8.2019

Facts

This complaint dated 17.3.2018 has been filed by Shri Avinash Kumar, Begusarai, Bihar against the Editor, Dainik Bhaskar for allegedly publishing false and defamatory news item under the caption “बरौनी जंक्शन:टीसी की जगहभाडे पर रखा युवक कर रहा है झूटी” in its issue dated 30.11.2017.

It has been reported in the impugned news item that a matter of giving duty charge illegally to the youngsters by the railway employees on payment basis at Barauni Junction has come to the light. Despite having information, the higher officers took no action in the matter. It has been further reported that the female employees, who work in the Enquiry Office at night feel uncomfortable and many times they feel embarrassed while working with these unauthorised youngsters. It has also been reported that when the journalist of the newspaper came to know about this matter, he went to cover the news story at night and found a person sitting in the Enquiry Office. The reporter took his photo and when he asked him certain questions; youngster abused and threatened the reporter and fled away. According to the impugned news item, the journalist complained to the Chief Commercial Officer of Barauni Junction, Shri K.P. Singh in this regard. Shri Singh reached the spot and inquired about the situation from the railway employee, Ms. Pooja Kumari, who was present in Enquiry Office at that night. She told that a person named Shri Avinash Kumar Singh often performs duty in place of Shri Dharmnath Kumar, TC and cheats people by telling them that he is a railway employee. The matter is being investigated.

Denying the allegations levelled in the impugned news item, the complainant has alleged that the impugned news item is false and published with a view to blackmail him. The complainant has stated that he is working as a CMS Incharge at Barauni Junction and has alleged that he is being harassed by the correspondent of Dainik Bhaskar, Shri Manoj Kumar Jha who threatens him that if he does not pay Rs.3,000/- per month, he will publish false news against the complainant. The complainant has informed that on 28.11.2017 at night, Shri Jha again pressurised him for money at Barauni Junction by forcefully entering into the Inquiry Office and clicked his photograph while threatening him that now he will publish news against him and surprisingly after two days the impugned news item was published. The complainant has also informed that many complaints are pending against Shri Manoj Kumar Jha. The complainant has stated that his social and professional image has been tremendously damaged due to publication of false impugned news item.

The complainant has issued legal notice dated 4.12.2017 to the respondents for publication of contradiction but to no avail. He has requested the Council to take action against the respondent.

No Reply

A show-cause notice was issued to the respondent-Editor, Dainik Bhaskar on 5.6.2018 but the same was received back undelivered from the postal authorities with the remarks "Incomplete address". Thereafter, the show-cause notice was issued to the respondent on another address on 6.8.2018 but no response has been received so far.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. Shri Avinash Kumar, complainant appeared in person and there was no appearance on behalf of the respondent Editor.

The Inquiry Committee has heard the complainant and perused the impugned news item. The Inquiry Committee is of the opinion that the grievance made by the complainant is absolutely misconceived.

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

S.No. 53

File No. 14/333/18-19-PCI.

Complainant

Shri Satyam Kumar Bharti
Inspector,
Central Bureau and Service Tax and
Central Excise,
Stadium Road,
Bokaro, Jharkhand.

Respondent

The Editor,
Prabhat Khabar,
Gaya, Bihar.

Adjudication dated 22.8.2019

Facts:

This complaint dated 28.09.2018 has been filed by Shri. Satyam Kumar Bharti, Inspector, Central Bureau and Service Tax and Central Excise, Bokaro, Jharkhand against the Editor, Prabhat Khabar for allegedly publishing false and defamatory news items in its Bihar and Jharkhand editions under the captions “बोकारो के एक्साइज इंस्पेक्टर ने गया कोर्ट में अधिवक्ता को गोली मारने की दी धमकी” (Gaya, Bihar Edition of Prabhat Khabar) “एक्साइज इंस्पेक्टर ने वकील को दी गोली मारने की धमकी” (Ramgarh and Dhanbad Editions, Jharkhand) in its issues dated 16.9.2018.

It has been reported in the impugned news items that Excise Inspector from Bokaro, Shri Satyam Kumar Bharati threatened to shoot Advocate, Shri Mahendra Sharma in Gaya Family Court on 15.9.2018. Shri Sharma complained to the Judge in this regard and keeping in view the gravity of the matter, a clarification in writing was sought from Shri Satyam Kumar Bharati. During the hearing of a divorce/guardianship case between Shri Satyam Kumar Bharati and his wife, Smt. Rajni Kumari, the complainant threatened to shoot his wife's Advocate, Shri Mahendra Sharma. Appending danger to his life, the advocate complained to the Court in this regard.

Denying the allegations levelled in the impugned news items, the complainant has alleged that the impugned news item is totally false and published with a view to tarnish his social and professional image. The complainant has stated that no such incident had occurred in Gaya Court on 15.9.2018. The complainant has alleged that the respondent falsely accused him of threatening opponent advocate, Shri Mahendra Sharma in the Court. The complainant has further alleged that the respondent neither verified the actual facts nor tried to contact him before publishing the impugned news items. According to the complainant, during the hearing of his case on 15.9.2018, the Hon'ble Judge was talking with his father in filthy language which was objected to by his father in polite manner. In this regard, he (the complainant) wrote letter dated 18.9.2018 to the Hon'ble Chief Justice, Patna High Court and Registrar, Vigilance, Patna High Court. The complainant has also denied that the court has sought his written clarification in the matter.

The complainant drew the attention of the respondent on 28.9.2018 towards the impugned news item but received no reply.

A show-cause notice was issued to the respondent-Editor, Prabhat Khabar, Gaya, Bihar on 24.10.2018.

Written Statement

Shri Koshal Kishore Trivedi, Resident Editor, Prabhat Khabar, Gaya vide his written statement dated 10.11.2018 while denying the allegations has informed that during the hearing of a court case, the complainant has threatened to shoot the opponent advocate-Shri Mahendra Sharma. In this regard, Shri Mahendra Sharma had addressed a complaint letter dated 15.9.2018 to the Secretary of Bar Association. The respondent has submitted that the impugned news item was published on the basis of this letter. The respondent has stated that the complainant himself admitted that during the hearing in the court, there was argument between the Judge and his father. The respondent has further stated that in the absence of mobile number and address of the complainant, their correspondent could not contact the complainant. The respondent has also stated that the other newspaper also published the news item. The respondent has assured that he could consider to publish the complainant's version positively, if he provides it in writing.

Counter Statement

The complainant-Shri Satyam Kumar Bharati vide his counter comments dated 15.11.2018 while reiterating his complaint has alleged that the respondent published false impugned news item deliberately under a conspiracy in connivance with his opponent advocate, Shri Mahendra Sharma so that he could get benefit in the pending court cases by defaming him. The complainant has further stated that the correspondent of the newspaper could get his address easily from his advocate. He has requested the Council to take necessary action in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. Shri Satyam Kumar Bharti, Inspector, CGST appeared in person and the respondent is represented by Shri Kaushal Kumar, Advocate, News Editor, Prabhat Khabar.

The Inquiry Committee has heard the complainant as also the Counsel for the respondent. The Inquiry Committee has also perused the complaint, the written statement and all other connected papers and is of the opinion that the respondent newspaper had the basis for publication of the impugned news. 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 decides to dismiss the complaint.

Press Council of India

S. No. 54

File No. 14/414/17-18-PCI

Complainant

Shri Rajeev Kumar
Naveen Nagar,
Aurangabad
Bihar

Respondent

The Editor,
Dainik Jagran,
Patna,
Bihar

Adjudication dated 22.8.2019

Facts:

This complaint dated 14.11.2017 has been filed by Shri Rajeev Kumar, Aurangabad, Bihar against the Editor, Dainik Jagran, Bihar for allegedly publishing false and defamatory news item under the captions “थाना में बैठकर छोटू करता है दलाली” in its issue dated 9.11.2017.

It has been reported in the impugned news item that a matter of fraudulently making Character Certificate in the Police Station has come to the light. This matter has reached the Superintendent of Police. One Shri Sudhir Kumar from Barem village has given a complaint to the Superintendent of Police stating that one Shri Chhotu Kumar works as an agent for making Character Certificate at Police Station. Shri Sudhir has informed that he went to the Barem OP (Out Part) for authentication of his Character Certificate but Police Station Incharge wrote that many cases are pending against him in other Police Station while no case was pending against him in any police stations. It is further reported in the impugned news item that Shri Sudhir has also levelled allegation against Shri Chhotu Kumar for making Character Certificate on commission in connivance with the police officials. It has been also reported that the Superintendent of Police has sent the complaint to Sub-Divisional Police Officer (SDPO) directing him to investigate the matter.

Denying the allegations levelled in the impugned news item, the complainant has alleged that the Aurangabad Bureau Chief, Shri Sanoj Kumar Pandey deliberately published false and baseless news item with the view to malign his reputation. According to the complainant, his nick name is Chhotu Kumar and he is a social activist with good reputation. The complainant has stated that Shri Sudhir gave a petition to the Superintendent of Police, Aurangabad levelling allegation against the Incharge, Barem OP (Out Part) for not adhering to the rules in making the Character Certificate but no allegation was levelled against him in the petition. He has further stated that surprisingly the respondent intentionally published false and fabricated news with a view to ruin his image in society. The complainant has submitted that other local newspapers also published the petition of Shri Sudhir Kumar while no allegation is levelled against him in those converge. The complainant has further submitted that many cases are pending consideration against the correspondent, Shri Sanoj Kumar Pandey.

The complainant vide his letter dated 12.12.2017 drew the attention of the respondent towards the impugned news item but no response has been received. He has requested the Council to take necessary action against the respondents.

A show-cause notice was issued to the respondent-editor, Dainik Jagran, Patna on 26.3.2018.

Written Statement

Shri Umakant Prasad, Advocate for respondent-newspaper vide written statement dated 13.5.2018 while denying the allegation has submitted that the impugned news item was based on a petition submitted to the Superintendent of Police, Aurangabad by Shri Sudhir Kumar Singh, a resident of Barem Village under Barem O.P. (Out Part) in Aurangabad District during Janata Darbar and the Superintendent of Police ordered for an investigation by the Sub-Divisional Police Officer (SDPO). The respondent has further submitted that the SDPO concerned in his preliminary inquiry report found the allegation against Shri Chhotu Kumar true and further investigation against the complainant is still under way. According to the respondent, the complainant of the complaint to the Press Council of India is Shri Rajeev Kumar and not Shri Chhotu Kumar against whom the impugned publication has been published in the newspaper. The respondent has stated that there was no malafide intention behind impugned report against Shri Chhotu Kumar as it was entirely based on Police complaint and investigation.

Counter Comments

The complainant vide his counter comments dated 4.7.2018 while reiterating his complaint has stated that the written statement submitted that the respondent is false and fabricated. The complainant has pointed out that the petition given by Shri Sudhir Kumar to the Superintendent of Police in Janata Darbar held on 9.11.2017 then how could the impugned news item published on same day. The complainant has further stated that the Incharge, Barem OP has been warned in the preliminary investigation of the Sub-Divisional Police Officer while there was no mention about the allegation levelled against him (the complainant). With regard to the statement of the respondent that the complainant of the complaint is Shri Rajeev Kumar not Chhotu kumar, the complainant has produced a copy of the news item published in Dainik Jagran issue dated 4.2.2018 wherein the complainant has been referred as Shri Rajeev Kumar alias Chhotu. The complainant has also informed that the publication was based on the petition dated 8.11.2017 given by Shri Sudhir Kumar to the Superintendent of Police and the said petition was not produced by the respondent.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. Despite service of notice, the complainant has not chosen to appear. The respondent newspaper is represented by Mr. Laliteswar Mishra, Assistant General Manager.

The Inquiry Committee is not inclined to proceed in the matter in the absence of the complainant and accordingly recommends for disposal of the complaint.

Held

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

Press Council of India

S. No.55

F.No.14/397/18-19-PCI.

Complainant

Shri Vijay Kumar Aman,
BJP Leader,
Gopalganj,
Bihar

Respondent

The Editor,
Dainik Bhaskar,
Patna (Bihar)

Adjudication dated 22.8.2019

Facts

This complaint dated 23.10.2018 has been filed by Shri Vijay Kumar Aman, Gopalganj, Bihar against The Editor, Dainik Bhaskar, Patna for allegedly using the word “Harijan” in the news item under the caption “झूलतेछज्जे, टूटी खिड़कियां मैरवा हरिजन छात्रावास की पहचान” in its issue dated 18.12.2017.

It has been stated in the article that the Harijan hostel located in Marwa Nagar near Ghutni Morh is in miserable condition with no fundamental facilities for students. The Dalit students staying in it face lot of troubles in this two-storey Dalit Hostel with 50 beds, constructed by the Department of Welfare, Bihar Government.

The complainant has alleged that the respondent by using the word “Harijan” in the impugned news item, he has abused the Dalits and humanity. The complainant has stated the Dalits are being humiliated even today openly and by using the word “Harijan”, the respondent has ruined the recognition and identity of Dalits all over India.

The complainant vide letter dated 25.12.2017 drew the attention of the respondent editor towards the impugned news item informing the respondent that the using the word “Harijan” has been declared illegal by the Government of India and also requested him to take action against their City Reporter but received no reply. He has requested the Council to take appropriate action against the respondent paper.

No Reply

A Show-Cause notice was issued to the respondent-Editor, Dainik Bhaskar, Patna on 29.11.2018, followed by a reminder dated 21.06.2019 but no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. The Inquiry Committee has heard the complainant, Shri Vijay Kumar Aman. Despite service of notice, the respondent has not chosen to appear nor has filed any reply. The only grievance of the complainant is the use of the word ‘Harijan’ in the

impugned news item. His submission is that the use of such expression is prohibited by a circular of the Government of India and still the respondent newspaper has used the word 'Harijan' in the impugned news.

The Inquiry Committee finds substance in the grievance of the complainant and directs the respondent newspaper to publish the expression of regret for using the said word. The expression of regret be published within two weeks.

With the aforesaid directions, Inquiry Committee disposes of the complaint.

Held

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

Press Council of India

S.No 56

F.NO. 14/405/18-19-PCI

Complainant

Shri Vidyanand Nandkeolyair,
Head,
Ragamanti East,
Chandrapura,
Bokaro, Jharkhand.

Respondent

The Editor,
Prabhat Khabar,
Ranchi
(Jharkhand)

Shri Vinod Kumar Sinha,
Reporter, Prabhat Khabar,
Quarter No. F/H-2,
Rangamati East, Chandrapura,
Bokaro, Jharkhand.

Adjudication dated 22.8.2019

Facts

This undated complaint, received in the Secretariat of the Council on 12.11.2018, has been filed by Shri Vidyanand Nandkeolyair, Head, Rangamanti East, Chandrapura, Bokaro, Jharkhand against Shri Vinod Kumar Sinha, Reporter of 'Prabhat Khabar', Bokaro, Jharkhand for allegedly publishing false and defamatory news item under the caption "निजी वाहन में लिखा झारखंड सरकार" in its issue dated 4.11.2018.

It has been reported in the impugned news item that people have objected on a sticker of Government of Jharkhand pasted in a private car in Chandrapura. A leader of JVM, Shri Mahendra Nath Thakur submitted a written complaint to the Circle Officer, Chandrapura alleging that a car (Number- JH09Y5013) is usually parked outside Anchal office just next to his car, on which Govt. of Jharkhand is adorned despite the vehicle being a private one and the matter should be inquired. It has been further reported that the Circle Officer assured that the matter will be investigated from the District Transport Officer (DTO).

The complainant has submitted that the respondent reporter has published false and defamatory news intentionally with a view to blackmail him. The complainant has stated that the respondent-reporter has pre-planned the whole scenario and pasted the sticker of Government of Jharkhand (झारखंड सरकार) on his vehicle, clicked photographs and published the impugned news item as he (the complainant) has not fulfilled his demand. The complainant has charged the respondent with allegations of publishing biased news after being influenced by a particular side. The complainant has alleged that the reporter extorts money in the garb of journalism.

The complainant vide his letter dated 9.12.2018 while forwarding clippings of the news items under the captions "निर्धारित दर से अधिक कीमत पर हुई सोलर लाइट

की खरीद”, “सोलर लाइट खरीद में अनियमितता के विरोध में अनशन” and “सोलर लाइट खरीद मामले में जांच के बाद 30 तक होगी कार्यवाही” published in respondent newspaper’s issues dated 26.11.2018, 29.11.2018 and 30.11.2018 respectively wherein allegation of irregularities in purchasing of solar light system levelled against the complainant, has alleged that the respondent-reporter published one-sided news without verifying the facts. He has requested the Council to take necessary action against the respondent.

Show-cause notices were issued to the respondent-Editor, Prabhat Khabar, Ranchi and Shri Vinod Kumar Sinha, Reporter, Prabhat Khabar, Bokaro on 5.3.2019.

Reply of Reporter, Prabhat Khabar

Shri Vinod Kumar Sinha, Reporter, Prabhat Khabar, Bokaro vide his written statement dated 23.03.2019 has submitted that all the allegations made against him are completely baseless. The respondent has stated that the assertion made by complainant that he forcefully asks for money in the name of journalism from the public is completely unsubstantial and there is no evidence in this regard. The respondent has also stated that the name of complainant and any details about him has not even been mentioned in the news article, only the vehicle number is published and it is evident from the letter of complainant that the vehicle belongs to him. According to the respondent, the complainant himself pasted the sticker on his car and few political leaders have objected to it. The respondent has further stated that the impugned news item was based on the letter written by JVM leader, Shri Mahendra Nath to the Circle Officer, Chandrapura. The respondent has also stated that the complainant did not contradict the impugned news item and after publication of impugned report the sticker was removed. With regard to the impugned news items regarding irregularities in purchase of solar light system, the respondent has submitted that the impugned news item was factual and based on the investigation made by the Block Development Officer and the complaint forwarded to the District Collector. In this context, the District Administration sought clarification from the complainant, but he did not reply the same.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna.

The Inquiry Committee has heard the complainant, Shri Vidyanand Nandkeolyair and also Mr. Vinod Kumar, the Reporter of Prabhat Khabar and has perused the complaint, the reply and all other connected papers. The Inquiry Committee is of the opinion that the respondent newspaper had basis for the publication of the impugned news.

The Inquiry Committee finds no substance 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 decides to **dismiss** the complaint.

Press Council of India

S.No.57

F.NO. 14/484/18-19-PCI

Complainant

Dr. Amit Kumar
Director,
National Public Service Commission,
Swami Vivekananda Path,
Near Residence of District Judge and
Children Park,
Bhagalpur, Bihar.

Respondent

The Editor,
Dainik Jagran,
Bhagalpur, Bihar.

Adjudication dated 22.8.2019

Facts:

This complaint dated 19.12.2018 has been filed by Dr. Amit Kumar, Director, National Public Service Commission, Bhagalpur, Bihar against the Editor, Dainik Jagran, Bhagalpur for allegedly publishing false, unverified and misleading news item under the caption “मनाली चौक के पास ट्रक ने चार को रौंदा, तीन की मौत” in its issue dated 16.12.2018.

It has been reported in the impugned news item that a fast approaching truck near Manali chowk, Bhagalpur, trampled four labourers out of which three died on the spot, whereas an injured is still critical. It has been further reported in the impugned news item that mostly overloaded trucks enters the city with fake permit.

The complainant alleged that the respondent published totally false and misleading news item and thereby misguided the public and created ruckus amongst local people. According to the complainant, there is no such place as ‘Manali Chowk’ in Bhagalpur and it has been also confirmed by the Municipal Corporation of Bhagalpur that no such place as ‘Manali Chowk’ exists in their records. The complainant has stated that the impugned news item jolted the reputation of the Smart City of Bhagalpur.

The complainant vide his letter dated 16.12.2018 drew the attention of the respondent but received no response. He has requested the Council to take necessary action in the matter.

No Written Statement

A Show Cause Notice dated 5.4.2019 was issued to the respondent-Editor, Dainik Jagran, Bhagalpur followed by a reminder dated 8.5.2019 but no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. The complainant has not chosen to appear. It is the allegation of the complainant that the impugned news item is false. It is further stated that according to the news item the incident had taken place at “Manali Chowk”, whereas no

chowk of the said name exist in the city of Bhagalpur. The respondent has not filed any reply. Today, Mr. Laliteshwar Mishra, Assistant General Manager, appears on behalf of the respondent newspaper. In the absence of any reply from the respondent newspaper, the Inquiry Committee has no option than to accept the allegation of the complainant that the impugned news item is false. This calls for serious action.

Accordingly, the Inquiry Committee recommends that the respondent newspaper, Bhagalpur edition be **Censured**.

A copy of this Order be forwarded to the Director General, DAVP and Director, Information & Public Relations, Government of Bihar, Patna, 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.

Press Council of India

S. No. 58

F.No.14/497/18-19-PCI.

Complainant

Dr. Arunima Chakravorty,
Principal, DPS,
Bhagalpur, Bihar.

Respondent

The Editor,
Dainik Jagran,
Bhagalpur, Bihar.

Adjudication dated 22.8.2019

Facts

This complaint dated 26.12.2018 has been filed by Dr. Arunima Chakravorty, Principal, DPS, Bhagalpur, Bihar against the editor, Dainik Jagran, Bhagalpur, Bihar alleging publication of false and defamatory news item in its issue dated 3.10.2018 under the caption “गंगा नदी में समाया के हॉस्टल का प्रथम तल”.

It is reported in the impugned news item that a portion of a building situated within DPS premises has been sunk in the Ganga River and as a result the students staying there had to be rescued. It has been further reported that the local people apprehended that the whole building of the college could be drowned in the Ganga River due to its bank bursting. There is uproar in the school due to bursting in the Ganga River. The Chairman of DPS, Shri Rajesh Srivastav told that the said drowned portion of the building was already declared dangerous last year and that portion had been locked.

Denying the impugned news report, the complainant has alleged that the impugned news report is absolutely false, based on surmises and intended to lower the image of the school in the estimation of others. The complainant further stated that the news item was published without proper verification of facts. According to the complainant, nothing close to what has been mentioned in the impugned article had actually occurred. The complainant also stated that no effort has been made by the respondent to verify the facts from the school authorities.

The complainant vide letters dated 10.10.2018 and 15.10.2018 drew the attention of the respondent towards the impugned publication with a request to publish apology, but no response has been received. He has requested the Council to take action against the respondent.

A Show Cause notice dated 5.4.2019 was issued to the respondent editor, Dainik Jagran, Bhagalpur, followed by a reminder dated 19.6.2019.

Written statement

The respondent vide his written statement dated 28.6.2019 has submitted that the news article in question did not contain any objectionable or derogatory remark as alleged by the complainant. He has further submitted that neither the Editor nor the staff of the respondent newspaper has violated any journalistic norms while publishing the news item. The concern regarding the flood situation was

expressed and therefore the contention that the school has been defamed is false and baseless. According to the respondent, the allegation levelled by the complainant regarding defaming the school is false and baseless as he has no enmity with the complainant. Besides, they have already published the version of the complainant regarding the impugned news item on 17.10.2018. He has requested the Council to reject the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. Shri Ganga Sagar Tiwari and Shri Shashank Shekhar represented the complainant. Despite service of notice, there was no appearance on behalf of the respondent newspaper, Dainik Jagran.

The complainant has filed the written submission and also made a request for adjournment of the case and for hearing the matter at Delhi. The Inquiry Committee is not inclined to accept the prayer for adjournment. The Inquiry Committee has perused the complaint, the written submission and all other connected papers.

Mr Ganga Sagar Tiwari and Mr. Shashank Shekhar, Delhi Public School, Bhagalpur appear and state that the respondent newspaper has published the clarification. The Inquiry Committee has gone through the purported clarification, which is said to have been published by the respondent newspaper and is of the opinion that same does not qualify as a clarification. The Inquiry Committee gives liberty to the complainant to furnish the clarification to the respondent newspaper and the respondent newspaper in turn is directed to publish the same with due prominence within two weeks from the date the complainant makes available clarification.

The Inquiry Committee further observes that the respondent newspaper should be careful in future.

With the aforesaid directions, the Inquiry Committee disposes of the complaint.

Held

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

Press Council of India

S.No. 59-61

F.NO. 14/421-423/17-18-PCI

Complainant

Shri Shiv Shankar Sahni
Adhyaksha, Bhrastachar Nibaran
Samiti,
Muradpur Kashi
Muzaffarpur, Bihar.

Respondent

The Editor
Hindustan
Hindustan Media Venture Ltd.
Muzaffarpur , Bihar

The Editor
Prabhat Khabar
Neutral Publishing House Ltd.
Muzaffarpur, Bihar

The Editor
Dainik Bhaskar
D.B. Corp ltd.
Muzaffarpur, Bihar

Adjudication dated 22.8.2019

Facts:

This complaint dated 23.10.2017 has been filed by Shri Shiv Shankar Sahni, Adhyaksha, Bhrastachar Unmulan Samiti, Muzaffarpur, Bihar against the editors of (i) Hindustan, (ii) Prabhat Khabar and (iii) Dainik Bhaskar, Bihar, for allegedly publishing unverified and defamatory news item against the complainant. The details of impugned news items are given below:

Sl no.	Newspaper	Issue dated	Captioned	Brief
1	<i>Prabhat Khabar</i>	<i>11.4.2017</i>	“बच्चों से 46 बोतल शराब बरामद”	The news item reports that on the basis of information received from Sanathi Gaon, Inspector, Shri Ramprabesh Ram, Shri Bhawan Pradhan and Sub-Inspector Shri Prabhu Dayal carried out raid at the house of Shri Shivshankar Sahni. During which, 46 bottles of liquor each containing 180 ml liquor were found from his house. An FIR has been registered, and efforts are being made to nab the accused (complainant).

2	Dainik Bhaskar	16.4.017	“आरोपितों ने कहा, पुलिस जबरन कर रही गिरफ्तारी”	The news item reports that on 10 th April, 46 liquor bottles were recovered from the backyard of Mr Sahni’s house by police. As the demand of bribe by the police was not fulfilled by Mr Sahni, the police had lodged an FIR against him and his son. The relatives of Mr Sahni stated that the police just did not stop at this and reached the school where Mr Sahni’s son teaches and arrested him there, for alleged liquor smuggling which is extremely shameful.
3	Hindustan	16.4.2019	मिली थी 46 बोतल शराब	It is reported in the impugned news item that on 10 th April, 46 bottles of liquor were found at the backyard of the house of Mr Shivshankar Sahni, a resident of Bochaha, Muradpur Kashi Sanathi. An FIR has been lodged against Shivshankar Sahni and his son Mr Sundarlal Sahni. To arrest Sundarlal Sahni, police went to Madhya Vidyalaya, Rampur. However, as per Mr Shivshakar Sahni’s version, they are wrongfully implicated in the liquor smuggling case by the police as the liquor bottles were found in the adjoining field and not from his house.

The complainant has submitted that he has been falsely implicated in an illegal liquor smuggling matter by the Police of Bochaha Police Station, Dist.- Muzaffarpur, and the three respondent newspapers without any prior-verification or seeking his version have published the news in their respective newspapers.

The complainant further submitted that letters for clarification have been issued to the respondents but he did not receive any reply on the same. He, therefore, has requested the Council to take necessary action against the respondents.

Show Cause notices dated 8.2.18 have been issued to the respondent newspapers.

Reply Filed by the Respondents

Written statement filed by Dainik Bhaskar

The respondent vide written statement dated 21.2.2018 has denied the allegations made in the complaint by the complainant. The respondent has stated that the complainant Shri Sahni had asked for the name and contact address of the reporter/sources of the news item. The respondent stated that generally news is based on information gathered from multiple sources and revealing the source(s) of news may turn life-threatening. As in the present case, the source of information has already been mentioned in the news item itself so sharing the contact details of the reporter, in particular, is irrelevant. The news item is published on the basis of the information received from the police station and the newspaper has no intention to malign the reputation of anyone. Further, the published news item cannot be used as a piece of evidence against the complainant at the legal front.

Written statement filed by Hindustan Media Ventures Ltd.

The respondent vide written statement dated 7.5.2018 have denied all the allegations made in the complaint and has stated that the complaint has been made by the complainant with ulterior motives. The news item is based on the complaint submitted by the aggrieved police officer against the complainant as many police officers were injured during the scuffle in the incident referred to in the complaint filed by the police officer before the Bochaha police station. It has further submitted that the present matter is under investigation. The respondent has further stated that adequate verification has also been carried out before publishing the matter. Therefore the respondent requests the Council to dismiss the matter as no journalistic norms or ethics were violated while covering the matter and the news item was published in public interest.

Counter comments of the complainant

Against the submissions of Dainik Bhaskar

The complainant vide letter dated 3.3.2018 submitted that Dainik Bhaskar has published a news item against him in its issue dated 16.4.2017 where the source of the news is unclear and nowhere it mentions that the published news item is based on the information gathered from the police station and hence the response of the respondent is not satisfactory.

Against the submission of Hindustan Media Ventures Ltd.

The complainant vide letter dated 28.7.2018 submitted that all the allegations made upon Hindustan daily are true and the written statement submitted/response filed by Hindustan is based on concocted, fabricated and false facts done only for the purpose of saving its skin and wrong deeds. The complainant further submitted that he never denied the fact that 46 bottles of wines were recovered by police in fact, he

supports it but the reported site of recovery of 46 bottles of liquor in the impugned news item, is completely incorrect as the bottles were recovered from the house premises of the complainant but were unearthed from the adjoining green field located at the backside of his house. The complainant further stated that Hindustan daily published the impugned news item to harass him and to malign his reputation. He has requested the Council to take necessary action against the respondent.

Reply filed by Prabhat Khabar

The Editor of Prabhat Khabar vide letter dated 8.7.2019 has submitted that the complainant had asked about the names of the correspondent/representative who had done Reporting in the published news on 11.04.2017. In this regard, the respondent has submitted that the matter pertains to recovery of liquor and there are two cases registered against the complainant in Bochaha Police Station. He has further submitted that due to security reasons of the correspondent/representative, they are unable to provide such details. He has requested the Council to dismiss the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 8.7.2019 at Patna. Shri Kumar Rajnish Upadhyay, Resident Editor represented the respondent newspaper, Prabhat Khabar. Shri Rajesh Roy, News Editor represented the respondent newspaper, Dainik Bhaskar.

Despite service of notice, the complainant has not chosen to appear. The respondents are present. The Inquiry Committee has perused the complaint, the reply and all other connected papers and is of the opinion that the respondent newspapers had basis for publication of the news. The Inquiry Committee is further of the opinion that the grievance made by the complainant is absolutely misconceived and deserves to be dismissed.

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

S. No.62

File no. 14/280/17-18-PCI.

Complainant

Shri Prasun Maitra,
State Committee Member,
Hindu Samhati,
North 24 Parganas,
West Bengal

Respondent

The Editor,
Jugasankha,
Bengali daily,
Kolkata.

Adjudication dated 22.8.2019

Facts:

This complaint dated 22.9.2017 has been filed by Shri Prasun Maitra, State Committee Member, Hindu Samhati, North 24 Parganas, West Bengal against the Editor, Jugasankha, Bengali Daily Kolkata for allegedly publishing false and defamatory news item in its issue dated 18.9.2017 under the caption: “ Tapan Ghosh is in the field to play ‘ultra Hindutva’ on behalf of Mamta” (English translation).

As per English translation provided by the complainant, it is reported in the impugned news item that “in order to counter ‘soft’ Hindutva of Sangh Parivar, Mamata Bandopadhyay wants to play ‘ultra’ Hindutva card and Shri Tapan Ghosh has quit from the President post of Hindu Samhati to become an icon of this Ultra Hindutwa of Mamata. This is the reaction in political spectrum after resignation of Shri Tapan Ghosh. It is further reported that as per sources, a new political party is under consideration in Hindu Samhati. It is also reported that one powerful force is required which preach Hindutva in higher pitch than BJP. In such scenario, Smt. Mamata prefers a hardcore Hindu force like Shiv Sena. Shri Tapan Ghosh will never join BJP and that has been confirmed by source in Hindu Samhati. But he can form a new political party and go for alliance with Trinamool. In that case, he will get financial and other supports from Trinamool.”

Denying the allegations, the complainant has alleged that the allegations levelled in the impugned news item are false, baseless and defamatory and published with the intention to damage social reputation. The complainant has stated that the respondent’s claim of getting information from “sources” and not referring anybody’s name has severely damaged reputation of Hindu Samhati. He submitted that Hindu Samhati is a social organization and does not have relation with any political party. Shri Debtanu Bhattacharya, newly appointed President of Hindu Samhati, had sent a protest letter to the editor of Jugasankha on 18.9.2017 and 20.9.2017 to publish rejoinder and tender an apology but received no response.

A show Cause Notice dated 24.10.2017 was served to the respondent editor, Jugasankha.

Written Statement

Shri Atanu Bhattacharya, Editor, Jugasankha vide his written statement dated 13.11.2017 has informed the Council that the impugned news report is based on the reliable sources and is hundred percent correct. He has further submitted that his office does not have any bad intention to dishonour Shri Tapan Ghosh and his organisation Hindu Samhati. He submitted that they have already published the protest letter sent by Shri Debtanu Bhattacharya, President of Hindu Samhati on 8.11.2017.

Counter Comments

The complainant, Shri Prasun Maitra vide his counter comments dated 19.12.2017 has stated that the respondent editor has not clarified the 'reliable sources' based on which he has published the news. On publication of the impugned news report, Shri Debtanu Bhattacharya, Hindu Samhati President, sent a protest letter on the publication day itself. A follow up protest letter dated 20.9.2017 was also sent by them, but the respondent published the same on 9.10.2017. Besides, the respondent editor arbitrarily twisted the headline of the protest letter by replacing "Dal Nirapeksha" stand with "Dharma Nirapeksha". He has further submitted that the respondent newspaper mentioned the publication of news as 17.9.2017 and date of publication of protest letter as 8.11.2017 while the actual dates are 18.9.2017 and 9.10.2017 respectively which shows the casual nature of the respondent in communicating with the Council. Further, he has requested the Council to order the respondent to publish an unconditional apology in the same position along with monetary compensation.

Communication received from complainant

Shri Sundar Gopal Das, Secretary, Hindu Samhati vide letter dated 2.7.2019 has submitted that the Editor, Jugasankha has apologized for the incident and it was published in his esteemed newspaper as well. Therefore, he wants to withdraw the complaint.

Communication received from respondent

Shri Nilaksha Chaudhary, Publisher, Sankha Press Pvt. Ltd. vide letter dated 3.7.2019 has submitted that the matter has already been sorted out with the complainant. He has requested the Council to drop the proceeding in the matter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Neither the complainant nor the respondent has chosen to appear.

As prayed for by the complainant, the Inquiry Committee accords the complainant to withdraw the complaint.

With the aforesaid observations, the Inquiry Committee permits the complainant to withdraw the complaint and accordingly disposes of the complaint.

Held

The Press Council on consideration of records of the case and Report of the Inquiry Committee accepts reasons, findings and adopts the Report of the Committee and decides to dispose of the complaint for being withdrawn by the complainant.

Press Council of India

S.No. 63

F.NO. 14/136/18-19-PCI

Complainant

Dr. J.K. Nandi,
Registrar,
Vidyasagar University,
Midnapore,
West Bengal.

Respondent

The Editor,
Jana Swartha Barta,
Kolkata,
West Bengal

Adjudication dated 22.8.2019

Facts

This complaint dated 21.5.2018 has been filed by Dr J.K. Nandi, Registrar, Vidyasagar University, Midnapore, W.B, against Bengali newspaper *Jana Swartha Barta* for publishing fabricated, baseless and defamatory news item in its issue dated 17.03.2018 captioned “***Vidyasagare Upacharjer naya najir, Acharya, Sikhamantrihin Samabartan***” (Convocation without Chancellor and Minister of Higher Education)

The complainant submits that the respondent has made all attempt to malign and defame the University through its baseless, fabricated and concocted news item. In the news item references has been made to the absence of the Hon’ble Chancellor of the University who happens to be the Governor of the State of West Bengal and the Education Minister of the State during the Convocation Ceremony of the University held on 8.3.2018 and a story has been cooked up embroiling the Vice Chancellor of the University, Mr Ranjan Chakraborti and comments has been made on the University’s PhD process while trying to establish a political link to it.

The news item reports that Mr Ranjan Chakraborti, Vice Chancellor of Vidyasagar University have conducted the University’s Annual Convocation on 8th March 2018 in the absence of the Chancellor of the University and the Minister-in-Charge of Higher Education. Such instance is rare in the history of India. The news item states that the Chancellor, Mr Kesharinath Tripathi was scheduled to grace the Convocation and Dr Partha Chatopadhyay was booked for the occasion too. But no one came as it is said that some rift between the University’s Vice Chancellor and the Chancellor and Education Minister has taken place and their absence from such an important event of the University proves everything. The reality is Mr Ranjan Chakraborti, Vice Chancellor, of the University is now desperately eyeing to be the Vice Chancellor of a Central University and for that reason very prudently Mr Ranjan Chakraborti is attempting to change his political party preference from Trinamul Party and wish to join the Saffron Brigade. In order to pave his way to the position of Vice Chancellor to Viswa Bharati he already had secret meetings with the BJP State Secretary, Mr Dilip Gosh. He also had several meetings with the RSS activist. In order to propitiate the BJP State Secretary, Mr Ranjan has also awarded PhD degree to a candidate of his choice in which the candidate has submitted a declaration stating that not more than 25% of the thesis is plagiarised. And several other allegations are being levelled against Mr Ranjan in the news item. Like his wife and

son were brought from Kolkata to Mednipore for the University's Convocation ceremony and special protocol service was arranged for their travel where the University Registrar was made in charge of the protocol for his wife. Taking the advantage of absence of the Chancellor and Minister, illegal privilege was extended to some faculty members who are said to be in the good books of the Vice Chancellor. Such faculty members who are neither the Head of the Department nor the members of varsity court were allowed to sit on the dias on the Convocation day.

The complainant submitted that the newspaper with an ulterior motive and evil intention has attempted to assassinate the reputation of the University and publishing defamatory and baseless news item is violation of journalistic ethics which needs to be dealt strictly. It has also submitted that vide Legal Notice dated 20.4.2018 the University has asked the respondent for tendering an unconditional apology to publish in its future edition. However no response has been received on the same.

Reply Filed by the Respondent

A Show Cause Notice dated 3.8.2018 followed by a reminder dated 15.10.2018 has been issued to the respondent newspaper. The respondent vide letter dated 25.11.2018 has denied and disputed each and every allegations made against the newspaper. According to the respondent, the alleged impugned news item is based on facts that are mostly collected from University's Website. The Vice Chancellor has resorted to various irregularities and unlawful activities with regard to the management of academics and administrative affairs of the said University and as an editor and journalist he published the truth in public interest. It has been further submitted by the editor that as per rule an aggrieved of defamation should himself/herself file for defamation charge in any court of law, however in this case the complaint has been made by the University Registrar on behalf of the Vice Chancellor so the complaint does not stand valid. The respondent further stated that taking everything into consideration the complaint may be dismissed as it is false, vague and baseless.

Counter comments of the complainant

Vide letter dated 29.1.2019, the complainant submitted that the Registrar of the University is the appointed spokesperson of the University thereby he becomes the competent authority to file complaint in any matter concerning the University. He resubmits his early submission that the published news item intends to tarnish the reputation of the University. He also submitted that the respondent has crossed all level of indecency and violated journalistic ethics and has got the habit of mocking, ridiculing and insinuating the Vice Chancellor of the University as it proves through their submission where the respondent has used the term "Ranjan-Chalissa" in the context of stating the Registrar is acting as the mouthpiece of the Vice Chancellor to file such false complaint against the newspaper that has published truth. With their submission, they have requested the Council to take stringent action against the respondent.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Shri Jayanta Kishore Nandi, complainant along with Shri Susanta Kumar Gangopadhyay, Advocate appeared in person. There was no appearance on behalf of the respondent Editor, Jana Swartha Barta.

The Inquiry Committee has heard the complainant and has also perused the complaint, reply filed by the respondent and all other connected papers. In the facts and circumstances of the case, the Inquiry Committee is of the opinion that the complainant should furnish his version to the respondent newspaper within two weeks. The respondent newspaper in turn is directed to publish the version of the complainant with due prominence as that of the impugned news within one week thereafter.

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

Held

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

Press Council of India

S. NO. 64

File no. 14/340/17-18/PCI

Complainant

Shri Ajay Nandi,
Kshetriya Sanghachalak,
Rashtriya Swaymsevaka Sangh (RSS),
Kolkata,
West Bengal.

Respondent

The Editor,
Ei Somoy,
Bengali Daily,
Kolkata.

Adjudication dated 22.8.2019

Facts

This undated complaint, received in the Secretariat on 29.9.2017, has been filed by Shri Ajay Nandi, Kshetriya Sanghachalak, Rashtriya Swaymsevaka Sangh (RSS), Kolkata, West Bengal against the Editor, Ei Somoy, Bengali Daily, Kolkata for allegedly publishing false and malicious news item under the caption "The literary work of Rabindranath is also under wrath of RSS" (English translation) in its issue dated 25.7.2017.

As per English translation provided by the complainant, it is reported in the impugned news item that

"The Siksha Sanskriti Utthan Nyas, affiliated to RSS, does not want that school-going children should read any literary works of the poet who composed the National Anthem of the country, who made the country proud by winning Nobel Prize in literature. They have also made proposal to NCERT to this effect. If their proposal is accepted, then two poems namely 'Where the mind is without fear' and 'Discovery of shoes' shall be excluded from the curriculum. The Nyas also has objection regarding Rabindranath's essay titled "Nationalism". It is being seen that RSS affiliated organization has been seeking to exclude Rabindranath Tagore's philosophy. According to the news report, the opposition demanded that the Government must make a statement in the Rajya Sabha that the Government does not subscribe to the views of Siksha Sanskriti Utthan Nyas and there would be no step from the Government to exclude/remove Rabindranath Tagore. Otherwise, since RSS is saying so, there must be some hidden conspiracy and the Government is also party to it. Sitaram Yechuri tweeted – 'Where the mind is without fear', RSS condemns and fears this ideology of Rabindranath. Not only this, though Urdu has its origin in India, they want to remove words of such language, which proves how anti-India RSS is".

Denying the allegations the complainant has stated that there was no recommendation from or on behalf of RSS and there is no connection or affiliation between RSS and the said Siksha Sanskriti Utthan Nyas, as falsely reported in Ei Somoy on 25.7.2017. He has further submitted that the news report has tarnished the image of RSS in the eyes of public. The complainant has stated that he came

across the press statement of Siksha Sankriti Utthan Nyas inter alia denying any such recommendation on its part to NCERT for excluding Rabindranath Tagore's literary works from the NECRT syllabus. The complainant vide legal notice dated 2.8.2017 drew the attention of the respondent on the impugned news item but received no response.

A Show Cause Notice dated 5.12.2017 was issued to the respondent editor, Ei Somoy, Kolkata.

Written Statement

Shri Shailendra Singh, counsel for the respondent-newspaper, Ei Somoy vide written statement dated 18.1.2018 while denying the allegation has stated that the respondent newspaper caters to the requirement of the readers of the newspaper and covers news and current affairs in a manner so as to fulfill the aspirations of the readers, while complying with the applicable laws. The respondent has stated that the impugned news report was carried on the basis of information received from reliable sources by the journalist and it was published believing it to be true and without malice or ill will. He has not alleged anything against the complainant's organization or anyone else. This in itself establishes the objective and unbiased nature of the news. The respondent has denied that the impugned news report is malicious, motivated by vested interest and was published with the motive to malign the image of RSS and its members. The respondent has also stated that the alleged representation by Shiksha Sanskriti Utthan Nyas pertaining to removal of Rabindranath Tagore's work(s) from NCERT syllabus was widely reported by the press and other media across India, which establishes that the impugned news item was not motivated or carried with any ill will against any. He has requested the Council to dismiss the complaint.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Despite service of notice, neither the complainant nor the respondent has chosen to appear. The Inquiry Committee has perused the complaint, the written statement and all other connected papers.

It is the assertion of the complainant that the complainant's society has no connection with RSS and there was no such recommendation by the RSS as projected in the news.

In the facts and circumstances of the case, the Inquiry Committee gives liberty to the complainant to furnish its version to the respondent within four weeks, the respondent in turn is directed to publish the version of the complainant with due prominence as that of the impugned news within two weeks thereafter.

With the aforesaid directions, the Inquiry Committee disposes of the complaint.

Held

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

Press Council of India

S. No. 65

F.No. 14/252/17-18-PCI

Complainant

Dr. Supratik Sanatani,
161/4, Rash Behari Avenue
Kolkata.

Respondent

The Editor,
The Statesmen,
4, Chowringhee Square
Kolkata.

Adjudication dated 22.8.2019

Facts

This complaint dated 11.09.2017 has been filed by Dr. Supratik Sanatani, Kolkata against the Editor, The Statesmen for allegedly publishing incorrect report in its issue dated 22.7.2017 under the caption “**Medical Neglect : Purulia girl dies of lung infection**”.

It is reported in the impugned news item that the three year old girl from Nadiara in Purulia who was admitted in SSKM Hospital on 15th July with seven needles inside her body and underwent a surgery, passed away due to lung infection and pneumonia. It is further reported in the news item that her condition deteriorated as she could not breathe properly. Some of the needles that were present in the lungs had infected the area resulted in sepsis. The medicines that were administered were of no use as the infection had turned quite severe. She passed away, said Professor Ray.

Denying the allegations levelled in the impugned news report the complainant stated that in the widely reported case of child abuse leading to the death of the girl at SSKM Hospital, Kolkata, there was no evidence of any medical neglect. The report about ‘medical negligence’ in the case was unsubstantiated and it has harmed the reputation of the medical profession.

The complainant vide letter dated 22.07.2017 drew the attention of the respondent Editor towards the impugned news item and requested him to publish unqualified apology, but received no response.

A Show Cause Notice was issued to respondent newspaper on 17.10.2017 for Written Statement.

Written Statement

Shri Ravindra Kumar, Editor/Managing Director, The Statesman, Kolkata vide his written statement dated 03.11.2017 has stated that the complaint is wholly justified and the headline carried by the Statesmen was unfair to the medical profession and to doctors at SSKM Hospital, Kolkata. He has further stated that the respondent should not have committed the error but having done so, they ought to have spotted it post-publication and the newspaper should take corrective steps on its own. He has further stated that he came to know of the matter from the Council’s

show-cause notice dated 17.10.2017 received by him on 2.11.2017 and he immediately has taken corrective action and published a corrigendum on 03.11.2017.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Neither complainant nor respondent has chosen to appear.

Impugned news item was published in the respondent newspaper Statesman with the headline “Medical Neglect : Purulia girls dies of lung infection”. It is the assertion of the complainant that the said girl did not die of medical negligence and accordingly a complaint was lodged to the Council. The respondent newspaper has published a *corrigendum* admitting its mistake and expressed an apology for the same. The complainant by his letter dated 22.6.2019 addressed to the Council has expressed satisfaction on account thereof. The Inquiry Committee before it closes the case would like to observe that the great Editors keep erasers and do not hesitate using it, when an error is pointed out. However, the Inquiry Committee regrettably records that the number of such Editors are very few. Normally they do not admit the mistake and in the opinion of the Inquiry Committee it is arrogance which overtake them.

The Inquiry Committee notes with satisfaction that the respondent Editor without any hesitation has admitted the mistake, offered apology and published the same in the front page of the newspaper. The Inquiry Committee commends the Editor.

With the aforesaid observation, the Inquiry Committee disposes of the complaint.

Held

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

Press Council of India

S. No. 66

File No.14/173/17-18-PCI.

Complainants

Dr. Sudip Chatterjee,
Secretary,
Park Clinic,
Kolkata.

Respondents

The Editor,
Ebela,
Kolkata.

Adjudication dated 22.8.2019

Facts

This complaint dated 25.7.2017 has been filed by Dr. Sudip Chatterjee, Secretary, Park Clinic, Kolkata against the Editor, Ebela (Bengali) owned by Ananda Bazar Patrika (P) Ltd., Kolkata for allegedly publishing false article under the caption “Sarat has come in hospital too” (English translation) in its issue dated 22.4.2017.

As per English translation provided by the complainant, it is reported in the impugned news item that-

“He is unbeatable in literature. He is ‘Hit’ in Bengali films and in modern Bollywood films as well. Now, he is in the hoarding of hospitals! A hoarding displaying an image of Shri Sarat Chandra Chattopadhyay has been placed in front of a private hospital in Central Kolkata. The content of hoarding is “It was an honour to look after this great man in his final days”. Now the question arises, whether it is a (mere) revelation of information or is an advertisement strategy! Dr. Sandip Chattopadhyay, Director of hospital says ‘we do not publish any advertisement. We have only revealed the information which the general public is not aware of. Shri Sarat Chandra suffered from Cancer in his last days. According to the records of that hospital, he was admitted there on 31.12.1937. He was under care of Dr. Bidhan Chandra Roy, Surgery/Operation on the ‘Author of Srikanta’ was performed in that hospital. It is noted in the records of the hospital that he died on 16.1.1938. Though the hospital authority has stated that the hoarding is not an advertisement, renowned Ad maker Sovik Sen comments, ‘Presentation of information and advertisement, both can be done by hoarding. In this case, the way an image of a noble person has been used with name and logo of a hospital; it qualifies to be an advertisement in terms of strategy. It should also be taken as an advertisement if it is judged by its purpose’. An expert on Sarat (Chandra), Professor Amitabha Das of Burdwan University reacts “it is a ridiculous advertisement. The language of our advertisement is gradually becoming meaningless and peculiar”. Hospital authorities (in fact) stated that they do not want this controversy. They were proud to serve Kathashilpi (Sarat Chandra). They have conveyed this matter of pride to the general public.”

Denying the allegations in the impugned news item, the complainant has alleged that the respondent published false news item. According to the complainant, Park Nursing Home was started around 1932. In this Nursing Home in the new premises, the first patient to be admitted was the noted novelist Dr. Sarat Chandra Chattopadhyay. He died of inoperable cancer in the Nursing Home. The Nursing Home changed its name to Park Clinic and has been functioning from the same premises as a non-profit organisation from 1992. In their premises, they have a hoarding with a picture of novelist Shri Sarat Chandra Chattopadhyay, paying homage to him as the first patient in the premises. The complainant has stated that the essence of published article is that the clinic was misusing the name of Dr. Sarat Chandra Chattopadhyay for commercial gain. He has further stated that a reporter of the respondent newspaper visited the Park Clinic where he was shown the admission registers and the consent form signed by the novelist, prior to surgery. The complainant also stated that nobody else was shown the consent form or admission records except this reporter. Subsequently, the newspaper published a "letter to editor" by one Shri Baidyanath Mukhopadhyay on 19.5.2017 under the caption "Sarat Chandra is being used in commercial advertisement too?", who referred to the consent form in his letter and made some comments. The complainant has further stated that since no one except the reporter had seen the consent form, a reference to the consent form in the letter (purportedly written by a reader) suggested the letter writer and the reporter was the one and same person.

The complainant vide his letter dated 20.6.2017 drew the attention of the editor towards the impugned news item and informed that the reporter has fraudulently and wrongly written the letter to the editor himself under a false name and address and had given incorrect facts in the letter, without disclosing his identity because he was the only person who have seen the consent form. In response thereto, the respondent vide his letter dated 4.7.2017 denied the allegations on his reporter that he has fraudulently and wrongly written the letter to the editor under false name and address. He stated that the allegation was irrational, baseless, speculative, insulting and defamatory.

A Show Cause Notice was issued to the respondent editor, Ebela, on 13.10.2017.

Written Statement

The Printer and Publisher, Ebela vide his written statement dated 10.11.2017 while denying the allegations has stated that the complaint is not maintainable, misconceived and made with malafide intent. According to the respondent, on 21.4.2017 their staff reporter, Mr. Subhra Bikash Nanda visited the Park Clinic and met its officials including Dr. Sandip Chattopadhyay in respect of a bill board displayed prominently outside the clinic referring to the hospitalization of the acclaimed writer and novelist Shri Sarat Chandra Chattopadhyay at the Park Clinic towards the end of his life. Thereafter, the impugned news item was published on the hospitalization of Shri Sarat Chandra Chattopadhyaya and prominently displayed the bill board. The respondent further stated that since the name and stature of the novelist is used widely across various media platforms, including for publicity purposes, the issue whether the bill board in question displayed prominently outside the Park Clinic amounted to an advertisement was also dealt within the said news report. According to the respondent, a letter to the Editor was received from Shri Baidyanath Mukhopadhyay referring to impugned publication and with a view to

publish different view-points regarding the matter, the said letter was published on 19.5.2017. The respondent has stated that the published news report was carrying the personal view of the author of the letter and the newspaper “Ebela” does not take any responsibility for the personal views expressed by any person in a letter written to the Editor. He has requested the Council to dismiss the complaint.

Counter Comments

The complainant, Dr. Sudip Chatterjee, Secretary, Park Clinic, vide his undated counter comments informed the Council that the letter to the editor purportedly written by one Shri Baidyanath Mukhopadhyay was actually not written by the person stated. He has further requested the editor of Ebela to furnish evidence that the letter writer is a real person who has actually written the letter.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Despite service of notice, the complainant has not chosen to appear. Shri Gaurang Chatterjee, Senior Counsel appears on behalf of the respondent and states that the respondent newspaper has stopped publication from 15th December 2018.

As the complainant has not chosen to appear and in view of the statement made by the counsel of the respondent, the Inquiry Committee is not inclined to proceed in the matter any further and accordingly recommends for disposal of the complaint.

Held

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

Press Council of India

S. No. 67

F.No. 14/201/17-18-PCI

Complainant

Shri Jagadish Chandra Ghosh,
155, Park Street,
Flat No. – 12,
Kolkata – 700 017.

Respondent

The Editor,
Ananda Bazar Patrika,
Kolkata.

Adjudication dated 22.8.2019

Facts

This complaint dated 31.7.2017 has been filed by Shri Jagadish Chandra Ghosh against the Editor, Ananda Bazar Patrika, Bengali daily, Kolkata alleging publication of defamatory and derogatory news item in its issue dated 19.07.2017 under the caption “Tilak’s Great-grandson Accused in a Rape Case” (English translation).

As per English translation provided by the complainant, it is reported in the impugned news item that

“Congress Leader, Shri Rohit Tilak has been arrested on being accused of raping a lady. This Rohit is a great grandson of freedom- fighter Bal Gangadhar Tilak and grandson of Congress Leader Jayantaro Tilak. On Monday a lady complained against Rohit. It has come to be known that Rohit has repeatedly raped her. Rohit has also compelled her to have perverted sex. Police informed that the lady’s marriage broke away. She had acquaintance with Rohit two years before. The lady has informed that Rohit had promised to marry her and raped numerous times. A case has been filed against him. Complaint against Rohit is not new. He had been in news headlines also before for committing unlawful acts.”

Denying the allegations levelled in the impugned news items, the complainant has stated that in a case of alleged rape by one Rohit Tilak the accused has been introduced prominently in the headlines as a great-grandson of Bal Gangadhar Tilak intentionally and with ulterior motive to tarnish the image of one of the illustrious sons of India. He has further stated that it is grossly unfair naming a forefather in a scandalous matter. He has also stated that there has been a serious degeneration in reporting amongst the young journalists to scandalize eminent persons died long ago. This has to be curbed and stopped.

The complainant vide his letters dated 30.07.2017 and 15.09.2017 has drawn the attention of the respondent and requested to take necessary steps, but no response has so far been received from the respondent.

No Written Statement

A Show Cause Notice dated 11.12.2017 has been issued to the respondent for filling Written Statement, but received no response.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Shri Ananya Bhattacharya, Manager Legal and Shri Nilandan Chatterjee, Advocate represented the respondent newspaper, Anand Bazar Patrika.

Despite service of notice, the complainant has not chosen to appear. He has informed the Council that because of his old age and various ailments, it is not possible to appear before the Inquiry Committee.

The Inquiry Committee has perused the complaint and also heard Mr. Chatterjee, Senior Counsel for the respondent. The Inquiry Committee is of the opinion that the respondent newspaper has not violated any Code of Conduct, so as to call for any action by the Council.

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 decides to dispose of the complaint.

Press Council of India

S. No. 68

F.No.14/482/18-19-PCI.

Complainant

Shri Debkumar Giri,
Medinipur,
West Bengal.

Respondent

The Editor,
Ananda Bazar Patrika,
Kolkata.

Adjudication dated 22.8.2019

Facts

This complaint dated 24.12.2018 has been filed by Shri Debkumar Giri, Medinipur, West Bengal against the editor, Ananda Bazar Patrika, Kolkata for allegedly publishing a false news in its issue dated 13.8.2018 in its supplementary pages under the caption “Roared up the village-we will not retreat” (English Translation).

As per English translation provided by the complainant, it is reported in the impugned news item that

“Torture and intimidation could not remove the Satyagrahis. They were resolutely determined in defying the oppressive Act of the British Government prohibiting production of salt by Indian citizens. The story of the lion-hearted freedom fighters of two localities Pichhabani and Narghat (both are in Purbha Medinipur district, West Bengal) has been revealed in the report of Ananda Mandal. It has been further reported that a movement changed the name of a place. The defiance to defeat attitude of several hundreds of people, intrepid and indomitable, brought a change in the name of several localities. All the localities became familiar with a slogan ‘Pichhabani’ and the name of localities ‘Pichhabani’ originated in this way”.

The complainant stated that the respondent in its supplementary pages of Purba Medinipur published a news item about the change of the name of a place on the occasion of a memorable incident but the claim made by the respondent-newspaper was not correct, since long before the occurrence of the incident, the name of this place concerned was in currency and it remains the same till date. The complainant has further stated that the said error is not so trifle, since anyone working on the local history of that area would be misled, if he/she accepts this gossip based news item about the origin of the name of the place concerned as authentic.

The complainant vide letter dated 3.9.2018, drew the attention of the respondent towards the impugned news items. After receiving the letter, the respondent demanded evidence in support of his contention and promised him to publish it with the evidences. The complainant supplied the evidence to the respondent on the same day via e-mail, but did not receive any reply. The complainant vide reminder dated 4.9.2018 and 16.9.2018 again requested them to publish the same and they asked him to wait for the same. The complainant further stated that he had tried several times to contact the Patrika by phone, but could not succeed. The complainant has submitted that an email dated 16.9.2018 received from

the respondent stating that complainant's letter is at their disposal and there is no need to send it again. The respondent has requested to wait for some time for publication of the letter. The complainant has submitted that on 26.11.2018 he made a last request to them through e-mail, but received no response. The complainant has requested the Council to take action against the respondent.

No Written Statement

A Show Cause Notice dated 15.3.2019 was issued to the respondent editor, Ananda Bazar Patrika, Kolkata, but received no response.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Despite service of notice, the complainant has not chosen to appear. The respondent is represented by Mr. Chatterjee, Senior Counsel. The complainant in his communication dated 27.6.2019 made the grievance that the Press Council had not provided him any paper furnished by the respondent newspaper. As the respondent newspaper has not filed any reply, providing the complainant such papers, do not arise. The complainant has assumed many things in his communication including stating that the proposed hearing is going to be an exercise in futility and hence attending of said hearing does not arise. The Inquiry Committee observes that all his assumptions are baseless.

The Inquiry Committee has perused the complaint and has also seen the letter of the complainant published in the newspaper dated 30th June 2019.

In view of the aforesaid, the Inquiry Committee is not inclined to proceed in the matter any further. The copy of the newspaper in which the letter of the complainant has been published and produced before the Inquiry Committee be kept on record.

With the aforesaid observations, the Inquiry Committee recommends for disposal of the complaint.

Held

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

PRESS COUNCIL OF INDIA

S.No.69

File No.14/283/18-19-PCI

Complainant

Shri S.K. Sharma
Deputy General Manager
Uranium Corporation of India LTD.,
Jaduguda Mines,
Singhbhum (East)
Jharkhand.

Respondent

The Editor,
Prabhat Khabar
Neutral Publishing House LTD.,
Thakur payara singh Road,
Kasidih, Sakchi, Jamshedpur,
Jharkhand.

Adjudication dated 22.8.2019

Facts:

This complaint dated 13.8.2018 has been filed by Shri S.K. Sharma, Deputy General Manager, Uranium Corporation of India Ltd. (UCIL), Singhbhum (E), Jharkhand against the Editor, Prabhat Khabar for allegedly publishing baseless news item in its issue dated 3.8.2018 under the caption “यूसिल: तीन फर्जी कर्मियों के नाम पर हर माह हो रहा भुगतान”.

It is reported in the impugned news item that contractor of the company cheated the company for Rs.40,000/- per month in the name of maintenance and repair of a guest house of UCIL. As per information, the payment sheets are being prepared per month in the name of three employees, who do not work in the guest house. Surprisingly, the officer, Shri P.K. Nayak, who complained to the higher officers in this regard, has been transferred from outside the State and now they are preparing to settle the matter.

The complainant has alleged that the impugned news item against Uranium Corporation of India Limited, a company under the administrative control of Department of Atomic Energy was published by the respondent without verifying the fact as the matter is already under inquiry. The complainant submitted that they were not consulted before publication of the impugned news item.

The complainant vide letter dated 13.8.2018 drew the attention of the respondent towards the impugned news items, but received no response. He has requested the Council to take appropriate action against the respondent.

A Show-Cause notice was issued to the Respondent-Editor, Prabhat Khabar, Jamshedpur on 8.11.2018.

Written Statement

Shri Kamal Kishore, Resident Editor, Prabhat Khabar, Jamshedpur vide his written statement dated 20.11.2018 while denying the allegation has stated that there is no legal bar that during pendency of inquiry any news cannot be published and also there is no legal requirement or pre-condition that prior approval/verification be taken from the complainant before the purported news being published. According to the respondent, the complainant by misusing his official position and with intent

to suppress the irregularities which were published and said to be matter under inquiry has filed the complaint. Being a public institution and matters related to public servants, the complainant should not have any hesitation to be scrutinised by free press especially if he considers himself to be transparent and all his action within the ambit of law. The respondent has further stated that as the matter related to misuse of taxpayers money/public money, the purported news was published based on the minutes of the meeting dated 25.07.2018 at office of Addl. Manager (Pers), UCIL, The respondent has further stated that the minutes of the meeting dated 25.7.2018 is the source on the basis of which the purported news was published and the complainant is put to strict proof to deny the same and establish that no such meeting took place and the subject matter of the meeting had no nexus with published news item. It was also stated that rather than ensuring an early completion of enquiry and Action Taken Report which should have been provided to press for publication for awareness of citizens of this great nation has rather opted to attack the Free Press whose rights are protected under the Constitution of India. The respondent further stated that the complainant has nowhere stated that published news is not true rather he admits that it is under enquiry and therefore there being no bar under law cited by the complainant to prohibit publication of news item therefore the Complaint has no legs to stand and is fit to be dismissed with cost.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Mr. Stanley Hembrom, Deputy Manager appears on behalf of the complainant and Mr. Kaushal Kumar, Advocate appears on behalf of the respondent newspaper.

The Inquiry Committee has perused the complaint, the written statement and all other connected papers and is of the opinion that the respondent newspaper had the basis to publish the impugned news.

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

S.No. 70

F.NO. 14/100/18-19PCI

Complainant

Dr G. Narayan
President,
CSM for Doctor's Association,
Anishabad
Patna, Bihar.

Respondent

The Editor
Dainik Bhaskar
Anishabad Bypass, Patna
Bihar

Adjudication dated 22.8.2019

Facts

This complaint dated 9.5.2018 has been filed by Dr. G. Narayan, President, CSM for Doctor's Association, Bihar against the Editor, Dainik Bhaskar, Patna for allegedly publishing defamatory and baseless news article against medical practitioners.

The complainant submitted that the Editor, Mr Jyoti Kumar Niraj and Mr Subodh Kumar, reporters of the respondent newspaper are misusing the press to tarnish the reputation of the medical practitioners and publishing several baseless and defamatory articles. The details of which are given below:

Sl. No.	Dated	Captioned	Brief
1.	28.4.2018	<i>“karmachari bole – jinko hath main hona chahiye aala ve kamar ke holster main latkakar chalte hain pistol”</i>	The report states that one dentist at the hospital is trying to suppress other hospital staff and mainly the caretaker. Instead of carrying stethoscope the medical practitioner is carrying pistol in hospital and harsassing other non-medic staff. It is further reported that due to transfer of Incharge thrice in a month, staff or employees do not get their salary on time. Hence, all affected staff are staging protest in front of the hospital and Deputy Director has assured that he will inquire the matter.
2.	1.5.2018	<i>“Dalal chikitshak va jimnewar CS ka kare tabadla-lojad”</i>	This news item reports the poor, pathetic and corrupt practices prevailing in the hospitals due to the agent, dental surgeon, whose presence is leading to the rise of adversities in the health sector and this corrupt practices are being encouraged by Dr Indradev Ranjan, civil surgeon needs to be tranferred to different district urgently else the protest will be much bigger.

			Dentist, Dr. Thakur Mukesh Singh Chauhan often visits hospital for two or three days and mark attendance for entire month. Dr Thakur works as an agent in the health department and hence influences the transfer and posting of other hospital staff.
3.	7.5.2018	<i>“Dr Mukesh Chauhan har mah main karte hain 10 se 15 din duty phir bhi uthate hain pura vetan, officer bhi kar chuke hai virodh”.</i>	The report states that Dr Mukesh Chauhan is taking undue advantage of his position and misusing his power to order transfers. It reports, that Dr Chauhan visits hospital only fifteen days in a month but withdraws full salary. There are such allegations are levelled against him in the news item.

The complainant submitted that the respondents regularly harass the medical practitioners, intimidate and threaten them in the name of the press. A police complaint has also been filed against the respondent by the local medical association namely Chikitsak Sangarsh Morcha against their continuous blackmailing of doctors.

The Complainant further submitted that on the basis of the impugned news item, an inquiry committee was constituted by the Civil Surgeon, Vaishali to investigate the gravity of the allegation framed against the complainant and after inquiry the allegations published in the respondent newspaper were found to be baseless and incorrect. Hence along with the copy of the inquiry report, the complainant submitted clarification to the bureau chief of Dainik Bhaskar expecting an internal inquiry in the matter but no response has been received by him. The complainant has requested the Council to take necessary action in the matter.

No Reply Filed by the Respondent

A Show Cause Notice dated 16.08.2018 has been issued to the respondent newspaper. However no response has been received.

Report of the Inquiry Committee

The matter came up for hearing before the Inquiry Committee on 9.7.2019 at Patna. Despite service of notice, nobody has chosen to appear.

The Inquiry Committee has perused the complaint and all other connected papers and is not inclined to proceed in the matter in the absence of 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.