

- Language press should aim at the community service and development. It should be the mirror of the true life of contemporary society. It should be the source of feedback to the government and policy makers. But at the same time, while having such expectations from the language press, the latter should also expect co-operation from the government and the public at large.

PRESS ORGANISATIONS

Press Council

The Third International Conference on Press Council was held in New Delhi a few years back. The conference decided to establish a World Association of Press Council. India and Sweden abstained from voting although they did not approve the motion. Sweden abstained from voting on the grounds that the members of the team had not been given the mandate to vote. India abstained for different reasons. The Press Council of India felt that an informal body would be preferable to a formal body. Proposals to form an International Code of Ethics were dropped, instead countries had been asked to form their own codes.

The institution of Press Council emerged for the first time in Sweden in 1916 known as the Court of Honour. Now it has been established in more than 40 countries. In all the countries, except Italy and Holland, Press Councils have been set up voluntarily. The functions of the Press Councils differ from country to country. The British Press Council came into existence in 1953. It has served as a model for many countries.

In India it is an autonomous, non-official but statutory body. The First Press Commission (1954) recommended the setting up of a statutory Press Council to look after the editorial independence, objectivity of news presentation and fairness of comments, etc. on the part of the newspapers. The council, according to the commission, was also to foster the development of press, protecting it from external pressures and regulate its conduct matters of such objectionable writing as was not legally punishable. In pursuance of this recommendation, the Press Council of India was constituted by the Govt. of India in 1966 under the Press Council Act of 1965, with Justice J. R. Mudholkar, the judge of the Supreme Court, as its Chairman, which was later amended in 1970. After the first chairman, Justice Mudholkar, the PCI was headed by Justice N. Rajagopala Ayyangar and (after its revival) by

Justice A. N. Grover, Justice A. N. Sen and Justice R. S. Sarkaria. The present Chairman of the Press Council is Justice P. B. Sawant.

During the internal emergency, the Press Council was abolished on the expiry of the term on 31 December 1975. The Press Council Act was repealed. It was stated that the council was being abolished because it was not able to carry on its functions effectively to achieve the objects for which the Council was established. The Annual Report of the Ministry of Information and Broadcasting for 1975-76 said : The Press Council during the nine years of its existence had failed to curb the tendencies, provocative and unrestrained writings in the press. It was unable to frame a code of conduct for editors and complaints of minor character mostly engaged its attention. Accordingly the Press Council of India was abolished w.e.f. 1st January 1976.

A fresh legislation providing for the establishment of a Press

1978. The Act came into force on 1st March

Among twenty-eight members :	115
- Working Journalists (6 editors of newspapers, 7 working journalists other than editors)	: 13
- From management, big, medium and small newspapers (who own or carry on the business of management of newspapers)	: 06
- News agencies	
- Members of Parliament nominated by Speaker of Lok Sabha	: 1 : 5
(Three from Lok Sabha and two from Rajya Sabha)	
- Persons having special knowledge or practical experience in the following fields :	
(a) Education and science (nominated by UGC)	: 1
(b) Law and Literature (nominated by Bar Council)	: 1
(c) Culture (nominated by Sahitya Academy)	: 1

For the purpose of performing its functions or holding an enquiry under the Act, the Council has been clothed with powers exercisable throughout India as are vested in a civil court while trying a suit under the Code of Civil Procedure, 1908. Thus, the Council can summon and enforce the attendance of persons and examine them under oath. It can require discovery and production of documents, receive evidence on affidavits, requisition public records or copies thereof from any court or office, issue commissions for the examination of persons or documents and finally for any other matter which may be prescribed. The Act, however, recognises immunity of a journalist from disclosing his source of information.

In his book, *The Journalists Handbook*, M. V. Kamath says : The Council, it is important to remember, is NOT a court of law. It is a court of honour. Its verdicts are not judicial pronouncements. Therefore, there is no question of punishment imposed on an offending journalist or newspaper. By that same token the Council cannot award damages to the aggrieved party. As Mudholkar puts it : The only weapon in its armoury is moral authority. The sole strength of the Council lies in its appeal to conscience.

Who can lodge a complaint against a newspaper or journalist to the Council? Anybody. The Council does not even have to wait for someone to make a complaint if it thinks that a case against a newspaper can be made on its own. The complainants, incidentally, need not necessarily have a personal interest in the matter complained against.

A complaint can merely be filed where the complainant has "reasons to believe that a newspaper has offended against the standards of journalistic ethics or public taste or that an editor or a working journalist has committed any professional misconduct or a breach of journalistic ethics."

Objectives and Functions of the Council

The objectives, some of which are given below, of the Council shall be to preserve the freedom of the Press and to maintain and improve the standards of newspapers and news agencies in India :

- (a) to help newspapers and news agencies to maintain their independence;
- (b) to build up a code of conduct for newspapers, news agencies and journalists in accordance with high professional standards;
- (c) to ensure on the part of newspapers, news agencies and journalists, the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities of citizenship;
- (d) To encourage the growth of the sense of responsibility and public service among all those engaged in the profession of journalism;
- (e) to keep under review any development likely to restrict the supply and dissemination of news of public interest and importance;
- (f) to keep under review cases of assistance received by any newspaper or news agency in India from any foreign source including such cases as by any individual, association of persons or any other organization;
- (g) to undertake studies of foreign newspapers, including those brought out by any embassy or other representative in India of a foreign State, their circulation and impact;
- (h) to promote a proper functional relationship among all classes of persons engaged in the production or publication of newspapers or in news agencies;
- (i) to concern itself with developments such as a concentration of, or other aspects of, ownership of, newspapers and news agencies which may affect the independence of the press; and

- (i) to undertake such studies as may be entrusted to the Council and to express its opinion in regard to any matter referred to it by the Central Government.

The Chairman, Press Council of India, Justice P. B. Sawant, in his paper-Press Council : the Conscience Keeper, has said : During the last thirty years, the Council received 8939 complaints. Out of them, 2693 were by the Press against the police, the publicity department and revenue authorities, individual politicians or bureaucrats. The rest 6246 were against the press. The complaints against the government and governmental authorities were mainly of false and malicious charges, false arrests and detentions in police custody, threats to life and property, non-cognizance of and inaction by the police on complaints filed by the journalists, the collusion of the police with the anti-social elements criticised by the press, and connivance at their violence, and threats to life, liberty and property of the journalists and owners of the newspapers, vindictive suspension and cancellation of advertisements, and non-payment or delayed payment of the advertisement bills, cancellation or suspension of accreditation passes, withholding of or reduction in newsprint quota, stoppage of electricity and water supply, attempt to demolish the premises where the newspapers were published or raids on newspaper offices, seizure of the copies of the newspapers and their destruction, etc. The complaints against the press have been mainly for publication of unverified and abusive language, printing of obscene pictures, communal and casteist writings and attempts to inflame communal passions, refusal to publish replies, encroachment on privacy, distorted and prejudiced reporting, suppression of facts, sensational and misleading headings completely at variance with the contents of the report, malicious reporting and writings, non-publication of the other side of the views expressed, mixing comments with facts, fratricidal conflicts, plagiarism, *et al.*

Since the Council has no punitive powers to punish violations of the professional ethics by the press or the encroachment on the freedom of the press by the authorities, the Council has come to be looked upon as a toothless tiger. The critics, however, forget that the Council has been designed essentially as an internal regulatory mechanism of and by the press. Consequently, disapproval, warning, admonition and censure of the newspapers, news agencies and the journalists and strong observations against the authorities are the only weapons kept in its armoury. The exercise of punitive powers by the Council will not only

destroy the character of the Council as an internal mechanism of the press, but will also embed it in a large number of court cases defeating the very objectives for which the Council was established.

The Registrar of Newspapers for India

The Office of the Registrar of Newspapers for India (RNI) also commonly known as the Press Registrar was created on 1st July 1936, pursuant to a recommendation of the First Press Commission by an amendment of the Press and Registration of Books Act 1867.

Functions

It functions as a central government body responsible for the completion of a Register giving particulars like ownership and circulation of all newspapers published in India.

It oversees the allocation of titles, newsprint and certificates for the import of printing and allied machinery required by newspaper establishments and also sees to the enforcement of the provisions of the Press and Registration of Books Act, and has the authority to inspect newspaper records and documents.

The RNI carries out frequent checks to find out whether the newspapers registered with it are published regularly and also whether the circulation figures claimed by newspapers are credible.

It is the duty of the Press Registrar to register all newspapers published in the country to issue certificate of registration to them, to maintain the particular rating to them in a register and to submit to the Central Govt. an annual report containing a summary by the information obtained by him during the previous year in respect of newspapers in the country. These annual reports entitled, 'Press in India' contain valuable information and statistics relating to the press.

The Press Registrar requires information about circulation figures to ensure that :

1. the newsprint used is in proportion with the circulation figures,
2. the printing capacity is in proportion with the circulation figures,
3. the newsprint waste is normal,
4. the payment of newsprint has been made in accordance with rules, and
5. the details (paging, printing and circulation dates, etc.) pertaining to number of supplements printed in advance are correct.