

**FIFTEENTH REPORT**

**COMMITTEE ON PETITIONS**

**(SEVENTEENTH LOK SABHA)**

**MINISTRY OF INFORMATION AND BROADCASTING**

**(Presented to Lok Sabha on 11.2.2021)**



सत्यमेव जयते

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## COMPOSITION OF THE COMMITTEE ON PETITIONS

(2020-21)

Dr. Virendra Kumar - *Chairperson*

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3. Shri Hanuman Beniwal
4. Shri Harish Dwivedi
5. Dr. Sukanta Majumdar
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15. Vacant

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1. Shri T.G. Chandrasekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G.C. Dobhal - Additional Director
4. Shri Anand Kumar Hansda - Assistant Executive Officer

(ii)

# FIFTEENTH REPORT OF THE COMMITTEE ON PETITIONS

(SEVENTEENTH LOK SABHA)

## INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Fifteenth Report (Seventeenth Lok Sabha) of the Committee to the House on the representation of Shri Manohar Singh and others regarding introducing reforms in Journalism in the country and other important issues related therewith.

2. The Committee considered and adopted the draft Fifteenth Report at their sitting held on 8 February, 2021.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;

DR. VIRENDRA KUMAR,  
*Chairperson,*  
*Committee on Petitions.*

8 February, 2021

26 Pausa, 1942 (Saka)

## REPORT

### REPRESENTATION OF SHRI MANOHAR SINGH AND OTHERS REGARDING INTRODUCING REFORMS IN JOURNALISM IN THE COUNTRY AND OTHER IMPORTANT ISSUES RELATED THEREWITH.

Shri Manohar Singh and others had submitted a representation dated 14.09.2019 regarding introducing reforms in Journalism in the country and other important issues related therewith (*Annexure-I*).

2. The representationists, in their representation, *inter-alia* stated that the following issues related to journalists deserve urgent attention of the Government and the political Parties which value freedom of Press and agree with the belief that secure and financially self-reliant media professionals are essential for freedom of Press in a healthy society and democracy:-

- (i) Setting up of Media Commission and converting the Press Council of India into the Media Council of India: While setting up of Media Commission to study and redefine the media landscape comprising of a vast online media and vibrant social media, there is also a need to restructure the Press Council of India in line with its working experience and make it Media Council of India to cover the present media landscape.
- (ii) Safety of Journalists: As the journalists are frequently targeted by the criminals and anti-social elements and face attacks and threats, there is need to ensure their safety by taking appropriate measures such as formulating a Law for protection of journalists.
- (iii) Social and Financial Security of senior citizen Journalists: Some States like Haryana, Madhya Pradesh, Bihar, Assam, etc., have provided pension to the journalists on attaining the age of 60 years. However, there is a need to frame a National Pension Scheme, in consultation with the organisations of working journalists/media professionals, for all working journalists in a view to providing them the social and financial security.
- (iv) Wage Board Implementation and setting up of a new Wage Board: The Supreme Court of India has also accepted that there is need to ensure that all cases related to wage board implementation are decided within a period of six months, but the benefits of Majithia Wage Board Award are yet to reach the

majority of working journalists. Further, as the award of previous Wage Board, set up way back in 2007, has been overtaken by time, it has become imperative to set up a new Wage Board for journalists and non-journalist newspaper and news agency employees.

- (v) Safety issues: There is a need for taking steps for imparting training to make the media persons aware of their safety by supporting media organisations.
- (vi) 'Media Helpline' at the National and State level(s): There is a need for establishing a 'Media Helpline' at the National and State level(s) to help journalists, media persons/establishments facing threats and attacks so as to ensure prompt response in such matters and to create a working environment with more freedom and independence.

3. The representationists, in their representation, have requested to look into these issues and take a favorable action which would help the journalists to work in a more safe and conducive atmosphere.

4. The Committee on Petitions took up the representation for examination under Direction 95 of the Directions by the Speaker, Lok Sabha. Accordingly, the representation received from Shri Manohar Singh and others was forwarded to the Ministry of Information & Broadcasting for furnishing their initial comments on the issues raised therein.

5. In response thereto, the Ministry of Information & Broadcasting vide their communication dated 23.12.2019 had forwarded their *para-wise* comments as under:-

"1. *Setting up of Media Commission and converting the Press Council of India into Media Council.*

(a) *The Press Council of India was established in July, 1966 under the Press Council Act, 1965 mainly to preserve the freedom of the Press and to maintain and to improve the standards of newspapers and news agencies in the country. It is a statutory, quasi-judicial Authority functioning as a watchdog of the Press, for the Press and by the Press. It adjudicates the complaints against and by the Press for violation of ethics and for violation of the freedom of the Press respectively.*

(b) *The Content Broadcast on TV Channels is regulated in accordance with the Cable Television Networks (Regulation) Act, 1995 and the Cable*

Television Network Rules, 1994. All programmes/advertisements telecast on TV Channels have to comply with the Programme and Advertising Codes prescribed under Cable Television Networks (Regulation) Act, 1995 and the Cable Television Network Rules, 1994.

- (c) The self regulation regime has also been established both for the news and non-news Channels in the form of News Broadcasting Standards Authority (NBSA) of News Broadcasters Association (NBA) and Broadcasting Content Complaints Council (BCCC) of Indian Broadcasting Foundation (IBF) respectively and advertisement by Advertising Standards Council of India (ASCI) which has also been acknowledged by the Supreme Court of India in its Order dated 12.01.2017 in W.P. (C) No.387/2000 filed by Common Cause vs. Union of India & Ors. The NBA has also formulated a Code of Ethics in Broadcasting standards. The NBSA has issued an Advisory dated 12.05.2016 to its members that manufacturing, drawing, tailoring, and tutoring or creating any kind of false or fake news or an attempt to do so will be considered as a serious misconduct on the part of the Broadcaster.
- (d) The Government has also set up, in 2008, the Electronic Media Monitoring Centre (EMMC) to record and monitor Channels on a 24x7 basis.
- (e) An Inter-Ministerial Committee (IMC) in the Government looks at the specific complaints regarding violation of Programme Codes by Private T.V. Channels and recommends appropriate action in case of violation of the programme codes.
- (f) There is provision under the Information Technology Act, 2000, administered by the Ministry of Electronics and Information Technology for removal of objectionable online content for regulation of content on the social media. Also, the Information Technology (Intermediary Guidelines) Rules, 2011 under Section 79 of the IT Act requires that the intermediaries shall observe due diligence while discharging their duties and shall inform the users of computer resource not to host, display, upload, modify, publish, transmit, update or share any information that is harmful, objectionable, affect minors and unlawful in any way. On case to case basis, social media platform are approached for removal of specific objectionable content coming to the notice of the Government.

II. *Safety of Journalists, safety issues and Media Helpline at the National & State level(s):*

*The Press Council of India had constituted a sub-Committee to examine the aspect of safety of Journalists to ensure a safe working environment for Journalists in the country. The sub-Committee submitted its Report on 08.07.2015. The said Report was examined and forwarded to the Ministry of Home Affairs (MHA) for appropriate action. However, the MHA had informed that 'Police' and 'Public Order' are State subjects under the Seventh Schedule of the Constitution of India. The existing laws are adequate for protection of the citizens including Journalists. Also the Press Council of India takes appropriate action on receipt of specific complaints from affected Journalists. Representations on providing security are received from or on behalf of individuals including Journalists. All such representations are examined and based on inputs received regarding threat assessment, required action is taken. There is no mechanism/requirement to segregate the request of protectees according to profession of the individuals. The Central Government attach highest importance to prevention of crime. An Advisory on safety of Journalists has also been issued to States/UTs on 20<sup>th</sup> October 2017 which is available at Ministry of Home Affairs' website, viz., [www.mha.gov.in](http://www.mha.gov.in).*

III. *Social and Financial security for Journalists after attaining the age of 60 years:-*

*The Ministry implements 'Journalist Welfare Scheme' to provide one-time ex-gratia relief of upto Rs. 5 lakh on urgent basis to the Journalists or their families under extreme hardship on account of death of Journalists and to the Journalist in case of permanent disability. In case of major listed ailments, this relief would be upto Rs. 3 lakh while, in case of accidents causing serious injuries necessitating hospitalization, the one-time ex-gratia relief of upto Rs. 2 lakh is provided to the Journalist. The detailed Guidelines (dated 5<sup>th</sup> March, 2019) for 'Journalist Welfare Scheme' is available at the Ministry's website.*

*Further, the following facilities are also provided to the Journalists accredited by PIB:-*

- (i) CGHS facility for self and family administered by the Ministry of Health & Family Welfare.*

- (ii) *Railway concession for self and family, administered by the Ministry of Railways.*
- (iii) *Access to the Central Government Offices/Ministries located in Delhi and NCR for the purpose of Press Conferences/Interviews and the Media events.*
- (iv) *Utilization of Media Work Room, Library, Press Lounge, Cafeteria, etc.*

IV. *Wage Board implementation and setting of a New Wage Board:-*

*The Wage Board implementation and setting of a New Wage Board under the purview of the Ministry of Labour and Employment. The Ministry of Labour & Employment has informed as under:-*

*The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 is a legislation for improvement and regulation of service conditions covering minimum period of notice, gratuity, provident fund, settlement of industrial disputes, leave with pay, hours of work and minimum wages. The Act provides for the constitution of Wage Board for the purpose of fixing or revising rates of wages in respect of working Journalists and non-Journalists.*

*Presently, the Majithia Wage Board recommendations are in vogue w.e.f., 11.11.2011. As per the Act, the respective State Government/UTs are enjoined to implement these recommendations by every Newspaper establishments. The payment of wages, as per the recommendations of the Wage Board is obligatory on every Newspaper establishment and the respective State Government/UT has the primary responsibility of implementation of the recommendations of the Wage Board. The Ministry has been seeking quarterly Reports on the status of implementation of the Majithia Wage Board recommendations from all the States and Union Territories under the Central Level Monitoring Committee Mechanism.*

*The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 has been subsumed into 'Occupational, Safety, Health and Working Conditions*

Code, 2019' and the proposed Bill titled 'Occupational, Safety, Health and Working Conditions Code, 2019 (OSH Code)' has been introduced in Lok Sabha on 23.07.2019. The OSH code inter-alia propose for modification of the definition of 'Working Journalist' to include the Electronic Media. The definition Clause, i.e., section 1(zzf) in the OSH Code defines 'Working Journalists' as under:-

*"Working Journalist' means a person whose principal avocation is that of a Journalist and who is employed as such, either whole-time or part-time, in, or in relation to, one or more Newspaper establishment, or other establishment relating to any electronic media such as Newspaper or Radio or like other media and includes an Editor, a Leader-Writer, news Editor, sub-Editor, Feature-Writer, Copy-Tester, Reporter, Correspondent, Cartoonist, News-Photographer and Proof-Reader, but does not include any such person who is employed mainly in a Management, Supervisory or Administrative capacity."*

6. Given the fact that the Second Press Commission was set up in 1978 to study and propose a framework for the vastly changed media scenario, the Committee asked for the comments of Ministry of Information and Broadcasting for on the need for setting up a 'Media Commission' to study and re-define the media landscape in the country. The Ministry of Information and Broadcasting, in a written reply, submitted:-

*"A Commission, primarily, has a role to collect information about the current scenario in any sector or to make projections/recommendations for the future, etc. Now-a-days, reports of various Industrial Forums/Bodies are available on media and entertainment sector for bringing out the current scenario, growth rate, future projections, etc., which can be made use of. All such data, information are available with the Government and are duly considered on matters of policy and their implementation. Under such circumstances, setting up of a Media Commission will serve a limited purpose."*

7. The Committee, thereafter, asked the Ministry of Information and Broadcasting Committee as to whether it is feasible to re-structure the 'Press Council of India' and making it the 'Media Council of India' and also as to what could be the merits and demerits of such a restructuring. The Ministry of Information and Broadcasting, in a written reply, submitted:-

"Press Council of India (PCI) has been set up under the Press Council Act, 1978 to preserve the freedom of the Press and improve the standards of Newspapers and News Agencies in the country. The Press Council of India (PCI) under Section 13(1) of the Press Council Act, 1978, has formulated 'Norms of Journalistic Conduct'. In case of violation of journalistic ethics or public taste or a professional misconduct, the Council, on receipt of a complaint or otherwise, after holding an inquiry, may warn, admonish or censure the Newspaper, the News Agency, the Editor or the Journalist or disapprove the conduct of the Editor or the Journalist, as the case may be.

Content telecast on Private Satellite TV channels is regulated as per provisions contained in the Programme and Advertising Codes prescribed under the Cable Television Networks (Regulations) Act, 1995 and the Rules framed thereunder. As such, Private Satellite TV channels are required to follow the provisions contained in the said Programme and Advertising Codes. These Codes contain a wide range of parameters to regulate content telecast on such TV channels. The self-regulation regime has also been established both for the news and non-news Channels in the form of News Broadcasting Standards Authority (NBSA) of News Broadcasters Association (NBA) and Broadcasting Content Complaints Council (BCCC) of Indian Broadcasting Foundation (IBF) respectively and advertisement by the Advertising Standards Council of India (ASCI). An Inter-ministerial Committee (IMC) consisting of representatives of various Ministries/Industry has been set up to look into the specific complaints or to take suo-moto cognizance against the violation of Programme and Advertising Codes and to recommend action. Ministry of Information and Broadcasting has also issued directions to the States to set up a District and State level Monitoring Committee to regulate content telecast on cable TV Channels.

Social Media platforms, being the intermediaries as defined in Information Technology (IT) Act, 2000, are required to follow due diligence as specified in the Information Technology (Intermediaries Guidelines) Rules, 2011 notified under Section 79 of the IT Act. They are required to inform the users of computer resource not to host, display, upload, modify, publish, transmit, update or share any information that is grossly harmful, harassing, blasphemous, defamatory, obscene, pornographic, paedophilic, libellous, invasive of another's privacy, hateful, or racially, ethnically objectionable, disparaging, relating or encouraging money laundering or gambling, or otherwise unlawful in any manner whatsoever. Section 79 of the IT Act provides that intermediaries are required to disable/remove unlawful content through a Court Order or on being notified by an appropriate Government or its Agency. The detailed procedure for blocking of information is specified in the Information Technology (Procedure and Safeguards for Blocking for Access of Information for Public) Rules, 2009 notified under Section 69-A of Information Technology Act 2000. In this regard,

the Information Technology (Intermediaries Guidelines) Rules, 2011 under Section 79 of IT Act 2000 have also be notified by the Government of India.

*Accordingly, well defined Legislations and Institutional Mechanisms (including self-regulatory mechanisms) exist in respect of each Media Platform. Each Media Platform is unique in its nature and has its own peculiarities. Accordingly, each of them has a distinct and separate regulatory set up. Unifying and merging all of these under one regulatory umbrella may not be desirable. At the same time, however, there is a need to re-look at the existing Statutes from the view point of contemporaneous needs. Towards this end, the Government has already proposed certain amendments to the Cable Television Networks (Regulation) Act, 1995, which have been placed in the public domain. Further, the Government is also going forward with a proposal to repeal the Press and Registration of Books Act, 1867 and to bring in place another Statute."*

8. Given the fact that the Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 has recently subsumed into 'Occupational Safety, Health and Working Conditions Code, 2019, the Committee desired to know from the Ministry of Information and Broadcasting as to whether there is still a need to formulate a distinct framework for News-Media Industry that makes the News-Media as an independent and credible 'Media Platform' as proposed by the representationist(s). The Ministry of Information and Broadcasting, in a written reply, submitted:-

*"Occupational Safety, Health and Working Conditions Code, 2019" (OSH Code), inter-alia, proposes expansion of the scope of 'Working Journalist' which now includes electronic media as e-paper, radio, Television and such other media. The definition of the "Working Journalist" in the OSH Code now includes Journalists working in the newspaper establishments as well as those working in the electronic media and such other media. It provides broader legislative framework to secure just and humane conditions of work with flexibility and to provide enabling provisions for making Rules and Regulations in tune with the emerging technologies. The OSH Code, therefore, has great relevance for the working Journalists and inter-alia addresses the concerns of the media industry.*

*Notwithstanding the above Code, the news media remains a distinct and separate Sector with its own nuances and significance. There are existing Legislations on media, along with self-regulatory mechanism".*

9. On the aspect of safety of Journalists, the Committee asked the Ministry of Information and Broadcasting to furnish the State/UT-wise cases registered for attacks on media persons (under Section 325, 326, 326A and 326B of IPC). The Ministry of Information and Broadcasting, in a written reply, submitted:-

*"The National Crime Record Bureau (NCRB) does not maintain specific data with respect to attacks on Journalists. However, State-wise data was collected in the past by the Ministry of Home Affairs for cases registered under section 325, 326, 326-A, 326-B of IPC for attacks on Journalists. State-wise data for the period 2014-16 is placed at Annexure-II.*

*Press Council of India, takes suo-motu cognizance as well as takes action on complaints received in accordance with the provisions of the Press Council Act, 1978. The number of suo-motu matters and complaints dealt with by PCI during the last five years, are as under:-*

2015-16	:	32
2016-17	:	16
2017-18	:	23
2018-19	:	15
2019-20	:	09

10. While acknowledging that the Government attaches highest importance to the safety and security of every citizen of the country including the Journalists and that "Police" and "Public Order" are State subjects and the State Governments are responsible for prevention, detection, registration and investigation of crime and for prosecuting the criminals through the Law Enforcement Agencies, the Committee asked the Ministry of Information and Broadcasting as to whether advisories on the safety of Journalists have been issued to States/UTs. The Ministry of Information and Broadcasting, in a written reply, submitted:-

*"The Ministry of Home Affairs has issued advisories to the States/UTs, from time to time, to maintain law and order and ensure that any person who takes law into his/her own hand is punished promptly as per Law. An Advisory specifically on the safety of Journalists was issued to States/UTs on 20<sup>th</sup> October, 2017 requesting them to strictly enforce the Law to ensure safety and security of media persons. The State/UT Administrations were requested to strictly enforce the Law to ensure that a peaceful environment prevails, allowing Journalists/Media Personnel to exercise freedom of speech and expression in their professional pursuit; ensure that investigations are*

concluded in a time bound manner and public trust in criminal justice system is maintained. A copy of the Advisory is placed at Annexure-III. "

11. The Committee, thereafter, desired to know the opinion of the Ministry of Information and Broadcasting on the survey titled 'World Press Freedom Index, 2019. The Committee further desired to know as to whether such Survey has the requisite authenticity and credibility on the basis of which ranking could be undertaken and recognized. The Ministry of Information and Broadcasting, in a written reply, submitted:-

*"Press Freedom Index is released by a Paris-based NGO, Reporters Without Borders (RSP). Press Council of India (PCI) has raised its concern about the authenticity and credibility of the Reports and the basis on which the ranking is done and also the methodology used to rank the Nations. PCI had tried to communicate with the South Asian Office of the Organization several times to learn about their methodology to arrive at the ranking and had expressed its willingness to share as to how the Press Council of India is working to preserve the freedom of the Press. No response has been received from the Reporters without Borders. Nonetheless, the Ministry of Information and Broadcasting has constituted an Index Monitoring Cell (IMC) on 27.03.2020 headed by the Principal Director General, Press Information Bureau and consisting of members from the Press Council of India, Registrar of Newspapers for India, Bureau of Outreach and Communication, NITI Aayog, Indian Institute of Mass Communication, Ministry of External Affairs and renowned Journalists. The terms of reference of the Cell are as under:-*

*A. Building understanding of the index:*

- (i) To study the Press Freedom Index and build an understanding of the parameters related to it, in order to arrive at actionable items;*
- (ii) To build an understanding of the aforesaid index amongst relevant stakeholders within and outside the Ministry of Information and Broadcasting through regular outreach and communication.*

*B. Coordination and support to the stakeholder Ministries/Departments:*

- (i) To engage with related Ministries/Departments based on sub-indicators/ parameters and formulate an action plan in coordination with them;*

- (ii) To co-ordinate within the Ministry of Information and Broadcasting to ensure reforms and progress sought in key the parameters identified by other Ministries/Departments;
- (iii) The IMC will also coordinate with the data publishing agencies for these parameters and will set up reporting mechanisms for up-to-date data;
- (iv) Providing information on performance of the States/UTs on these parameters to nodal Ministries/Departments and to NITI Aayog PMU (for the dashboard) will also be responsibility of the IMC;
- (v) To support formal and informal engagements of the Ministry with relevant stakeholders in respect of the aforesaid index; and
- (vi) To support the Media Outreach Cell established in the NITI Aayog with the support of the Ministry of Information and Broadcasting.

C. Establishing monitoring and communication mechanisms:

- (i) To keep the stakeholders informed of the progress and developments made in the parameters and the aforesaid index on regular basis;
- (ii) To establish suitable platforms for improved visibility and communication of steps taken by the Government and other agencies to the stakeholders across the World. This may include developing a micro-site within PIB website and other similar measures;
- (iii) To frame State/UT level ranking on Press freedom and related parameters to spur healthy competition amongst the States. Suitable monitoring mechanism in this regard would also be established by the IMC;
- (iv) To engage with PMU at NITI Aayog for overall coordination on the above tasks; and
- (v) Any other action, as may be required, from time-to-time."

12. The Committee enquired from the Ministry of Information and Broadcasting as to whether it is a fact that the Press Council of India had constituted a sub-Committee to examine the issue of Safety of Journalists and if so, the Committee further enquired as to when the Report of the sub-Committee, containing various recommendations with regard to

safety and security of Journalists, was submitted and what action, till date, has been taken by the Government. The Ministry of Information and Broadcasting, in a written reply, submitted:-

"The Press Council of India constituted a 'sub-Committee on Safety of Journalists' on 19<sup>th</sup> September 2011 to examine the larger issue of the 'Safety of Journalists' in the country. The Report of the sub-Committee, containing various recommendations with regard to safety and security of Journalists, was adopted by the Council on 08.07.2015. Thereafter, it was forwarded to the Ministry of Information and Broadcasting and other States/UTs for necessary action on the recommendations of the sub-Committee.

The Ministry of Information and Broadcasting forwarded the Report on "Safety of Journalists" to the Ministry of Home Affairs, for necessary action. In response thereto, the Ministry of Home Affairs informed that the existing laws in the country are adequate for protection of the Citizens including Journalists. The Indian Penal Code is generally and comprehensive Code intended to cover all substantive aspects of criminal law, Special Fast Track Courts exists in the States as per need and States can refer such cases of attack on journalists to fast track Court. Existing laws under various sections of I.P.C and Cr. P.C. are adequate to cater to the needs of Journalists in unsafe situations and the State Government is also empowered to refer cases of grave violence against any citizens to the CBI for investigation."

13. On the aspect of social and financial security of Journalists, the Committee asked the Ministry of Information and Broadcasting to furnish the details of beneficiaries under the 'Journalist Welfare Scheme' which are aimed at providing one-time ex-gratia relief to Journalists of their families under extreme hardship on account of death of Journalists and to the Journalists in case of permanent disability, major listed ailments and in case of accidents, in a tabulated form. The Ministry of Information and Broadcasting, in a written reply, submitted:-

"Details of beneficiaries under the Journalist Welfare Scheme are as under:-

Year(s)	Total amount of ex-gratia relief given to Journalists or the families (in Rs. Lakh)			
	Death of Journalists	Permanent Disability of Journalists	Major listed ailments	Accident causing serious injuries necessitating hospitalization
2015-16	10	NIL	10	NIL
2016-17	20	NIL	11.46	NIL
2017-18	33	NIL	6.38	NIL
2018-19	85	NIL	14.99	NIL
2019-20	95	2	18.25	NIL

14. When asked by the Committee about the funding pattern for the 'Journalist Welfare Scheme' which is being implemented by Ministry of Information and Broadcasting, Government of India, the Ministry of Information and Broadcasting, in a written reply, submitted:-

"Fund provision to the 'Journalist Welfare Scheme' is made through regular budgetary provisions (i.e., Consolidated Fund of India).

Financial Assistance under the scheme is as under:-

- (i) Upto Rs.5 Lakh to the family under extreme hardship on account of death of the Journalist.
- (ii) Upto Rs.5 Lakh to the journalist in case of permanent disability rendering the Journalist incapable of earning a livelihood.
- (iii) Upto Rs.3 Lakh towards the cost of treatment of major ailments.
- (iv) Upto Rs.2 Lakh in case of accidents causing serious injuries"

15. The Committee, thereafter, specifically desired to know from the Ministry of Information and Broadcasting as to whether the Supreme Court or any High Court in the country has given orders/directions on the time-bound implementation of the Majithia Wage Board recommendations. The Ministry of Information and Broadcasting, in a written reply, submitted:-

- (i) The Hon'ble Supreme Court vide its judgement dated 07.02.2014 in W.P.(C) 246/2011 has categorically directed that "...the wages as revised/determined shall be payable from 11.11.2011 when the Government of India notified the recommendations of the Majithia Wage Board. All the arrears up to March, 2014 shall be paid to all eligible persons in four equal instalments within a period of one year from today and continue to pay the revised wages from April, 2014 onwards..."
- (ii) Because of the non-implementation of the Majithia Wage Board Awards by the Newspaper Establishments, various contempt petitions were filed in the Hon'ble Supreme Court. The Hon'ble Supreme Court, vide its Judgment dated 19.06.2017 in Contempt Petition (Civil) No 411 of 2014 in W.P.(C) No. 246 of 2011 & other 82 contempt petitions, has clarified all doubts and ambiguities in the matter. The Hon'ble Court has also directed that henceforth all complaints with regard to non-implementation of the Majithia Wage Board Award or otherwise be dealt within the terms of the mechanism provided under section 17 of the Act. In view of this, the Judgment of the Hon'ble Supreme Court dated 19.06.2017, was circulated to all the Chief Secretaries of State Governments through D.O. No S-14016/1/2017-WB on 20.07.2017.
- (iii) In order to monitor the implementation of the Notification, a Central Level Monitoring Committee (CLMC) has been set up on 24.04.2012 under the Chairmanship of Principal Labour & Employment Advisor. The composition of the CLMC was modified vide this Ministry of Labour and Employment's order No. V-24011/1/2018-WB dated 15.05.2018. The State Government(s) furnish a quarterly Report to the Ministry providing the extent of implementation of the recommendations of the Majithia Wage Board in their respective States/ UTs."

16. On being enquired by the Committee about the opinion of the Government on the need for setting up a new Wage Board for Journalists and non-Journalists Newspapers and News Agency Employees, the Ministry of Information and Broadcasting in a written reply, submitted:-

"Ministry of Labour and Employment has informed that the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, has now been subsumed in the OSH Code. However, there is no proposal presently to constitute a Wage Board. "

17. The Committee further desired to know the comments of the Ministry of Information and Broadcasting about the need of establishing a 'Media Helpline' at the National and the State level, the Ministry of Information and Broadcasting, in a written reply, submitted:-

*"Delhi Journalist Association has requested for setting up a Media Helpline at the National and the State level to help Journalists facing threats and attacks. The matter related to Safety of Journalists has been deliberated at 'Section-II Safety of Journalists'. However, Police helpline number '100' already exists to approach Police in case of Emergency. In addition to this, emergency number '112' is a single emergency helpline number for various emergency services such as Police, Fire, Ambulance, etc. It provides 24\*7 emergency responses across the country."*

18. In connection with the comprehensive examination of the instant representation of Shri Manohar Singh & others, the Committee on Petitions took oral evidence of the representatives of Ministry of Information and Broadcasting on 8 January, 2021.

19. During the oral evidence, the representatives of the Ministry of Information and Broadcasting submitted before the Committee, as under:-

- (i) The Ministry Information & Broadcasting is contemplating for repealing the obsolete Press and Registration of Books Act, 1867 (PRB Act) which has a cumbersome registration process for publishing any newspaper or periodicals under its provisions by providing for a simplified and hassle free mechanism for online registration and/or to make the title verification and registration a simultaneous process in case of a new publication. After that, there will be no requirement of any person to apply to the District Magistrate for any declaration or any authentication of any declaration before starting a publication and he will have to apply online to the Press Registrar General only for obtaining the certificate.
- (ii) In December, 2019, the PIB create a Fact-Check Unit to refute the fake news whenever it comes to its notice with a view to propagate awareness towards the menace of fake news. On 1 April, 2020, a dedicated Fact-Check Unit for Covid-19 has been started which provide all information related to the pandemic through a Centralised Portal.
- (iii) There is a Journalists Welfare Scheme under which the Ministry provide Rs.5 Lakh to next of kin of the deceased in case of death of Journalist. The Ministry is considering for increasing this amount.

## OBSERVATIONS/RECOMMENDATIONS

### Setting up of Media Commission and converting 'Press Council of India' into 'Media Council'

20. The Committee note from the submissions made by the Ministry of Information and Broadcasting that there exist regulatory mechanism in the form of regulatory Bodies/Associations, viz., Press Council of India, News Broadcasting Standards Authority (NBSA) under News Broadcasters Association (NBA), Broadcasting Content Complaints Council (BCCC) under Indian Broadcasting Foundation (IBF), Advertising Standards Council of India (ASCI), Electronic Media Monitoring Centre (EMMC) and an Inter-Ministerial Committee (IMC) to professionally deal with the affairs of Print and/or Visual Media.
21. The Press Council of India (PCI), established in July, 1966 under the Press Council Act, 1965 is a Statutory, quasi-Judicial Authority functioning as a watchdog of the Press to preserve the freedom and to improve the standards of Newspapers and News Agencies in the country. It adjudicates the complaints against and by the Press for violation of ethics and for violation of the freedom of Press. In this connection, the Committee also note that the PCI has formulated 'Norms of Journalistic Conduct' and in case of violation of journalistic ethics or public taste or a professional misconduct, the PCI, on receipt of such complaint or otherwise, after holding an inquiry, could warn, admonish or censure the Newspaper, the News Agency, the Editor or the Journalist or disapprove the conduct of the Editor or the Journalist, as the case may be.
22. The Committee further note that for News and non-News Television Channels, a self-regulatory regime has also been established in the form of News Broadcasting Standards Authority (NBSA) under News Broadcasters Association (NBA) and

Broadcasting Content Complaints Council (BCCC) under Indian Broadcasting Foundation (IBF), whereby, the advertisements are looked after by the Advertising Standards Council (ASCI). The NBA has also formulated a Code of Ethics in Broadcasting Standards and the NBSA has issued an Advisory dated 12.05.2016 to its members to the effect that manufacturing, drawing, tailoring, and tutoring or creating any kind of false or fake news or an attempt to do so will be considered as a serious misconduct on the part of the Broadcaster.

23. In the year 2008, the Government of India has set up an Electronic Media Monitoring Centre (EMMC) to record and monitor Channels on a 24x7 basis and an Inter-Ministerial Committee (IMC) also looks at the specific complaints regarding violation of Programme Content by Private Television Channels and recommends appropriate action in case of violation of the programmes code(s).

24. The Committee also find that there are various Legislative Regulatory Mechanism(s) in respect of the 'Visual and Electronic Media'. The Content Broadcast (Programmes/Advertisements Telecast) on Television Channels is regulated in accordance with the Cable Television Networks (Regulation) Act, 1995 and the Cable Television Network Rules, 1994. Further, there is also a provision under the Information Technology Act, 2000, administered by the Ministry of Electronics and Information Technology for removal of objectionable online content on the Social Media. Also, the Information Technology (Intermediary Guidelines) Rules, 2011 notified under section 79 of the IT Act requires that the Social Media Platform(s), being intermediaries, shall observe due diligence while discharging their duties and shall inform the users of computer resource not to host, display, upload, modify, publish, transmit, updated or share any information that is harmful, objectionable, affect minors and unlawful in any way on case-to-case basis.

25. Notwithstanding the fact that there exist various Legislative and Institutional Regulatory Mechanisms and most of them being self-regulatory in nature, to look into the affairs of different types of Media Platforms, the Committee are of the view that with the existing powers and mandate, the Authorities concerned could only exert moral and ethical pressure on the Media Platforms and cannot take any visible punitive action against them in case of any grave violation. The Committee, therefore, feel that these Regulatory Mechanism, without any adequate Legal Regulatory Framework, would not be able to meet the current challenges being witnessed by the Society until and unless some stringent penal provisions in respect of errant Media Houses, etc., are put in place.

26. The Committee are also not convinced with the averments made by the Ministry of Information and Broadcasting that setting up of a Media Commission would serve a limited purpose, especially, keeping in view the fact that a Commission which has a primary role to collect information about the current scenario in any Sector or to make projections/recommendations for the future, etc.

27. The Committee, while considering the rapidly changing media landscape in the country, feel that there is now a need to look into the various inter-related aspects with an entirely new perspective for the usefulness of a unified Regulatory and Governance Mechanism for facilitating an independent, impartial, and responsible News and non-News Media in the country. The Committee, therefore, recommend that the Ministry of Information and Broadcasting should conduct a feasibility study for setting up of a 'Media Commission' and for appropriately restructuring the Press Council of India. The Committee would like to be apprised of the steps taken/proposed to be taken within three months of the presentation of this Report to the House.

## Safety of Journalists

28. On the basis of the submissions made by the Ministry of Information and Broadcasting, the Committee acknowledge the role of Press Council of India with respect to the safety of Journalists by way of initiating *suo motu* action on specific complaints received from the affected Journalists, in accordance with the provisions of the Press Council Act, 1978. In this context, the Committee also take note of the fact that the total number of *suo motu* actions initiated by the PCI from 2015-16 to 2019-20 comes to 95.
29. On the aspect of safety of Journalists, the Committee take note of the fact that on 19.09.2011, the Press Council of India had constituted a 'Sub-Committee on Safety of Journalists' to examine the issue of safety of Journalists and for ensuring a safe and secured working environment for them in the country. The Sub-Committee had submitted its Report on 'Safety of Journalists' *inter alia* containing various recommendations with regard to safety and security of Journalists on 08.07.2015, which was adopted by the Council on the same day. Thereafter, the said Report was forwarded to the Ministry of Information and Broadcasting and other States/UTs for taking further consequential action on the recommendations of the Sub-Committee. The Ministry of Information and Broadcasting examined the said Report and forwarded the same to the Ministry of Home Affairs for initiating further necessary action.
30. In pursuance thereof, the Ministry of Home Affairs has informed that 'Police' and 'Public Order' are State subjects under the Seventh Schedule of the Constitution of India and the existing laws in the country are adequate for protection of the citizens including the Journalists. Further, the Indian Penal Code is intended to cover all substantive aspects of Criminal Law. Besides, Special Fast Track Courts also exist

and the States could conveniently refer cases of attack on Journalists to Fast Track Courts.

31. Based on all the relevant information furnished by the Ministry of Information and Broadcasting, the Committee find that the Report on 'Safety of Journalists' *inter alia* containing various recommendations with regard to safety and security of Journalists was formulated and finalised by the Press Council of India way back on 08.07.2015. Thereafter, the said Report was forwarded to the Ministry of Information and Broadcasting and other States/UTs for taking further consequential action. The Report was again forwarded to the Ministry of Home Affairs for its final implementation. However, the Ministry of Home Affairs, while referring to the relevant provisions of the Seventh Schedule of the Constitution of India, emphasised that the existing laws in the country are adequate for protection of the citizens including the Journalists. In other words, no tangible action has been taken by any of the Authorities concerned. The Committee are not satisfied that the recommendations contained in the Report have not been implemented even after a lapse of more than five years. It appears to be Committee that had the water-tight implementation of the provisions contained in the Seventh Schedule of the Constitution been informed to the Press Council of India, they would not have formulated any such Sub-Committee and finalized the Report which broadly concerns the safety of Journalists. The Committee, therefore, recommend that the Ministry of Information and Broadcasting, in consultation with the Ministry of Home Affairs, should persuade all the States/UTs to at least implement some of the major recommendations contained in the Report which could ensure the safety of Journalists in the country. The Committee would like to be apprised of the steps taken/proposed to be taken within three months of the presentation of this Report to the House.

Ensuring social and financial security of the Journalists

32. From the submissions made by the Ministry of Information and Broadcasting, the Committee note that the Ministry administers a 'Journalist Welfare Scheme' to provide one time ex-gratia relief, on urgent basis, to the Journalists or their families, wherein, the funding is made through Budgetary provisions (i.e., the Consolidated Fund of India). The Financial Assistance, under the Scheme, is as under:-

- (i) Up to Rs. 5 Lakh to the family under extreme hardship on account of death of the Journalist;
- (ii) Up to Rs. 5 Lakh to the Journalist in case of permanent disability rendering the Journalist incapable of earning a livelihood;
- (iii) Up to Rs. 3 Lakh towards the cost of treatment of major listed ailments; and
- (iv) Up to Rs. 2 Lakh in case of accidents causing serious injuries necessitating hospitalization.

33. The Committee further note that the following facilities are also being provided to the Journalists accredited by the PIB:-

- (i) Railway concession for self and family, administered by the Ministry of Railways;
- (ii) CGHS facility for self and family administered by the Ministry of Health & Family Welfare;
- (iii) Access to Central Government Offices/Ministries located in Delhi and NCR for the purpose of Press Conferences/Interviews and Media events; and
- (iv) Utilization of Media Work Room, Library, Press Lounge, Cafeteria, etc.

34. While acknowledging the intricate nature of job being performed by the Journalists, which is becoming more and more challenging now-a-days, the

Committee are of the considered view that one time ex-gratia relief under the 'Journalist Welfare Scheme' is insufficient to cater to the functional needs of the Journalists or their families in various emergent situations. The Committee, therefore, recommend the Ministry of Information and Broadcasting to consider a reasonable enhancement in the amount of one-time ex-gratia relief/financial assistance under the 'Journalist Welfare Scheme'. The Committee also desire that the Ministry of Information and Broadcasting should work out modalities for providing Life/Medical Insurance to the Journalists, in consultation with the Ministry of Finance. The Committee would like to be apprised of the steps taken/proposed to be taken within three months of the presentation of this Report to the House.

#### Implementation of the recommendations of Majithia Wage Board

35. The Committee note that the recommendations contained in the Majithia Wage Board were made in November 11.11.2011 and as per the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, the respective State Government/UT are enjoined to implement these recommendations by every Newspaper Establishments. The payment of wages, as per the recommendations of the Wage Board is obligatory on every Newspaper Establishment and the respective State Government/UT has the primary responsibility of its implementation.

36. The Committee also note that due to non-implementation of the recommendations of Majithia Wage Board, the Supreme Court *vide* its judgement dated 07.02.2014 in W.P.(C) 246/2011 had categorically directed that the wages as revised/determined shall be payable from 11.11.2011 when the Government of India notified the recommendations. The Supreme Court also directed that all the arrears

up to March, 2014 shall be paid to all eligible persons in four equal instalments within a period of one year and continue to pay the revised wages from April, 2014 onwards.

37. Notwithstanding the fact that quarterly reports on the status of implementation of the recommendations of Majithia Wage Board are being sought from all States and UTs under the Central Level Monitoring Committee Mechanism, the Committee are constrained to point out that no visible headway has been made by any of the Authorities concerned in regard to implement the recommendations of the Majithia Wage Board even after the intervention of the Supreme Court of India. The Committee, therefore, strongly recommend that the Ministry of Information and Broadcasting should ensure that all the recommendations contained in the Majithia Wage Board are scrupulously implemented in all the States and UTs without any further delay. The Committee would like to be apprised of the steps taken/proposed to be taken along with an updated status within three months of the presentation of this Report to the House.

#### Proposal for repealing of archaic Press Laws

38. The Committee were informed by the Ministry of Information and Broadcasting that the Government has proposed to repeal the archaic Press and Registration of Books Act, 1867 and to replace it with a Statute which is consistent with the current media environment and upholding the spirit of Article 19 of the Constitution. The Committee also note that the Cable Television Networks (Regulations) Act 1995 has also been proposed to be amended and the proposed amendments have been placed in public domain for seeking comments/suggestions of various stakeholders. In this sequel, the Committee were also informed that the 'Up-linking' and 'Down-linking' Guidelines of 2011, which regulates various aspects of approvals for private Satellite Television channels, has also been proposed to be amended.

39. The Committee are happy to note that taking into account the current media environment and its functional requirements, proposals to repeal the archaic Press and Registration of Books Act, 1867 and to amend the Cable Television Networks (Regulations) Act 1995 are under active consideration of the Government. However, in this connection, the Committee desire that the Ministry of Information and Broadcasting should carefully examine and consider the comments/suggestions of various stakeholders in regard to the proposed amendments. The Committee, therefore, urge the Ministry to put in their concerted efforts in a time bound manner and notify the Rules/Guidelines made thereunder, in the right earnest. The Committee would like to be apprised of the steps taken/proposed to be taken within three months of the presentation of this Report to the House.

NEW DELHI;

8 February, 2021

26 Pausa, 1942 (Saka)

DR. VIRENDRA KUMAR,  
*Chairperson,*  
*Committee on Petitions.*

Regn no: 1918

Annexure 1

Estd: 1972



दिल्ली पत्रकार संघ

DELHI JOURNALISTS' ASSOCIATION

Affiliated to the National Union of Journalists (India)

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GENERAL SECRETARY

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TREASURER

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## Memorandum on National Agenda on Media Issues

To  
Shri Om Birla ji  
Honourable Speaker, Lok Sabha  
New Delhi

Sir,

Delhi Journalists Association (DJA) is a representative body of working journalists stationed in the national capital New Delhi who work to report for various newspapers, TV news channels and web portals of the country. Formed in 1972, the DJA has been a leader in promoting ethical journalism. More than 1500 working journalists are associated with it. DJA is affiliated to the National Union of Journalists (India), which happens to be largest professional organisation of working journalists in India.

Before and after the Lok Sabha elections, Delhi Journalists Association flagged a National Agenda on Media Issues for coming five years and more. We feel some issues related to journalists deserve urgent attention of the government and the political parties which value freedom of press and agree with the belief that secure and financially self-reliant media professionals are essential for freedom of press in a healthy society and democracy.

The major issues of the journalists include safety of the news persons, social and financial security for journalists who have attained the age of 60, Journalists Protection Act; putting all cases related to wage board implementation on fast track, setting up of a new wage board for working journalists and non-journalist newspaper and news agency employees; setting up of media Commission and converting Press Council of India into Media Council of India; setting up of a media helpline at national and state level, etc.

Setting up of Media Commission and converting Press Council of India into Media Council of India: The first Press commission (FPC) was set up in 1952 and its report (submitted in 1954) led to the passage of Working Journalists Act (1955), later amended to make it more inclusive by

7, Jantar Mantar Road, Second Floor, New Delhi 110001

Phone: 011-23362610, Email: dja.org@gmail.com



25  
20-9-19  
JLPT

23/9/2019  
DIPKAR



दिल्ली पत्रकार संघ

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bringing non-journalist newspaper and news agency employees. Recommendations of the first Press Commission also led to formation of the Press Council of India. The Second Press Commission was set up in 1978 to study and propose a framework for the vastly changed media scenario. This Commission was reconstituted in 1980 after political change and it submitted its report in 1982. Since then the media landscape in India has undergone a sea change. We now have a very large online media and a very vibrant social media. Prime Minister Shri Narendra Modi has recently named Social Media as a Democratic Media. It has a huge footprint and the need to ensure its healthy functioning is equally big. Setting up of a Media Commission to study and redefine the media landscape are the major requirements of the day, we also underscore the need to restructure the Press Council of India in line with the experience of the PCI working making it Media Council of India to cover the current media landscape. Working Journalists (and other newspaper employees) Act has been subsumed into Labour Code however a framework for news-media industry that makes news-media an independent and credible public platform is need of the day in this age of information glut and rampant misinformation.

**Safety of Journalists:** Journalists are frequently targeted by criminals and anti-social elements and face attacks and threats. There is need to ensure safety of journalists by taking appropriate measures. Journalists' Protection Act has been passed by Maharashtra Assembly and is awaiting presidential approval. Such Act should be passed at the central level also.

**Social and financial security for journalists after attaining the age of 60:** Haryana, Madhya Pradesh, Bihar, Assam and several other states have provided for pension to journalists on attaining 60 years. In some states the pension covers only a section of journalists and in many states such social/financial security is absent. We request the Government of India to frame a national pension scheme for all working journalists in consultation with organisations of working journalists /media professionals for the purpose.

**Wage Board Implementation:** The Supreme Court of India accepted the need to ensure that all cases related to wage board implementation are decided within a period of six months but benefits of Majithia Wage board award are yet to reach majority of working journalists. Law has put this responsibility on the state governments and we seek political parties' support to change this situation by taking all necessary steps.



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**Setting up a new wage board:** Setting up a new wage board for journalists and non-journalist newspaper and news agency employees has become imperative as the award of previous wage board set up in 2007—over twelve years back—has been overtaken by time. The new wage board needs to be constituted immediately, the Majithia Wage Boards took more than three years to submit their report. The report came into effect at the fag end of 2011. The earlier wage board report had come into effect eleven years earlier.

**Safety issues:** Need for provision of training to make media persons alert about of their safety through safety training is recognised worldwide and several organisations are actively engaged in this important task. India needs to ensure that Indian media persons are adequately trained to remain alert and safe. Government must take steps to ensure necessary action by supporting media organisations in this task.

**Media Helpline at National and State Level:** Setting up of a media helpline at National and State Level to help journalists facing threats and attacks is very important. This will help Indian media to work with more freedom and independence. As a sensitive organ of the society, media needs special care. We have seen and heard numerous reports of attacks on media persons and media establishments across the country. Media persons today receive more threats than in past to their life and assets, we request the government to establish a mechanism under the superintendence of the Press Council or the proposed Media Council to ensure prompt response in such matters. The proposed Media Helpline may also document such incidents reported in media to ensure that remedial steps are to ensure that such incidents are prevented.

We request you to kindly look into these issues and take a favourable action. Your help will help the journalists work freely and in a more safe and conducive atmosphere.

Thanking You  
 Yours Sincerely

*Manohar Singh*  
 Manohar Singh  
 (President)

*Amlsh Raja*  
 Amlsh Raja  
 (General Secretary)

Dated: September 14, 2019

7, Jantar Mantar Road, Second Floor, New Delhi 110001  
 Phone: 011-23362610, Email: dja.org@gmail.com

**Annexure referred to in Reply to Lok Sabha Unstarred Question  
No.3349 for answer on 12.7.2019 regarding 'Attacks on Journalists'**

State/UT wise cases registered (CR) for attacks on media persons (under section 325, 326, 326A & 326B IPC) during 2014-2016

Sl.No.	State/UT	2014	2015	2016
		CR	CR	CR
1	Andhra Pradesh	4	1	6
2	Arunachal Pradesh	0	0	0
3	Assam	2	0	2
4	Bihar	22	0	0
5	Chhattisgarh	0	1	0
6	Goa	0	0	0
7	Gujarat	3	0	1
8	Haryana	0	0	0
9	Himachal Pradesh	0	0	0
10	Jammu & Kashmir	0	0	0
11	Jharkhand	3	0	0
12	Karnataka	0	0	2
13	Kerala	0	0	1
14	Madhya Pradesh	7	19	24
15	Maharashtra	5	1	0
16	Manipur	0	0	0
17	Meghalaya	1	0	0
18	Mizoram	0	0	0
19	Nagaland	0	0	0
20	Odisha	1	0	0
21	Punjab	0	0	0
22	Rajasthan	0	5	0
23	Sikkim	0	0	0
24	Tamil Nadu	0	0	0
25	Telangana	0	0	0
26	Tripura	2	0	5
27	Uttar Pradesh	63	1	3
28	Uttarakhand	1	0	3
29	West Bengal	NR	NR	NR
	<b>Total (State)</b>	<b>114</b>	<b>28</b>	<b>47</b>
30	A & N Islands	0	0	0
31	Chandigarh	0	0	0
32	D & N Haveli	0	0	0
33	Daman & Diu	0	0	NR
34	Delhi	0	0	0
35	Lakshadweep	0	0	0
36	Puducherry	0	0	0
	<b>Total (UTs)</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>Total (All India)</b>	<b>114</b>	<b>28</b>	<b>47</b>

Source : National Crime Records Bureau

NR : Implies data not received.

No. 24013/46/Misc./2013-CSR-III  
Government of India/Bharat Sarkar  
Ministry of Home Affairs

\*\*\*\*\*

NDCC-II Building, Jai Singh Road,  
New Delhi, the 20<sup>th</sup> October, 2017.

To

The Home Secretaries,  
(All State Governments/UT Administration).

Subject:- Advisory on safety of Journalists – Regarding.

Sir/Madam,

The Fourth Estate is an important institution of our democracy. It ensures that citizens are able to express their opinions freely without any fear and coercion as provided under the Constitution of India. It is the duty of State to ensure safety and security of journalists who ensure that the fourth estate discharges this key role.

2. From time to time, incidents of attack on journalists/media persons are reported in the media. All such cases need to be investigated promptly to ensure that criminals get prosecuted in a time bound manner. States should also take all preventive and deterrent action as deemed required. States are already empowered to provide security to individuals based on threat perceptions.

✓ 3. While 'Police' and 'Public Order' are State-subjects under the Seventh Schedule of the Constitution of India, in view of its importance, Govt. of India has been drawing the attention of State Governments / UT Administrations from time to time towards the need for a robust criminal justice system with emphasis on prevention and control of crime. Advisories dated 1/4/2010 on media relations and dated 23/5/2017 emphasizing the importance of time bound investigations for speedy delivery of justice may please be referred to in this regard (copies attached).

4. In this context the State/UT Administrations are requested to strictly enforce the law to ensure that a peaceful environment prevails, allowing journalists/media personnel to exercise freedom of speech and expression in their professional pursuit ensure that investigations are concluded in a time bound manner and public trust in criminal justice system is maintained.

5. Kindly ensure that this Advisory is circulated amongst all the concerned Departments/Organizations under your jurisdiction for strict compliance

Yours faithfully,

(S. K. Bhalla)  
Director (CS-I)

Copy to:-

1. The Secretary, Ministry of Information and Broadcasting
2. The Director General of Police- All State Governments/UT Administrations
3. Addl. Secretary (UT), UT Division, MHA, North Block, New Delhi
4. JS (NE), NE Division, MHA, North Block, New Delhi
5. JS (J&K), J&K Division, MHA, North Block, New Delhi

**MINUTES OF THE THIRTEENTH SITTING OF THE COMMITTEE ON PETITIONS  
(SEVENTEENTH LOK SABHA)**

The Committee met on Friday, 8 January, 2021 from 1200 hrs. to 1330 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

**PRESENT**

Dr. Virendra Kumar - Chairperson

**MEMBERS**

2. Shri Brijendra Singh
3. Shri Sushil Kumar Singh
4. Shri Shri Manoj Kumar Tiwari
5. Shri rajan Baburao Vichare

**SECRETARIAT**

1. Shri T.G. Chandrashekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G. C. Dobhal - Additional Director

**WITNESSES**

**MINISTRY OF INFORMATION & BROADCASTING**

1. Ms. Neerja Sekhar - Additional Secretary
2. Shri Vikram Sahay - Joint Secretary
3. Shri Pankaj Salodia - Director

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee.

*[The representatives of the Ministry of Information & Broadcasting  
were ushered in]*

3. After welcoming the representatives of the Ministry of Information & Broadcasting, the Hon'ble Chairperson drew their attention to Direction 55(1) of the Directions by the Speaker, Lok Sabha regarding confidentiality of the proceedings of the Committee. Hon'ble Chairperson,

thereafter, expressed his greetings for the New Year to all the Members of the Committee, Officials/staff of the Committee Secretariat and also to the representatives of the Ministry Information & Broadcasting.

4. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Information & Broadcasting on the representation of Shri Manohar Singh and others regarding introducing reforms in Journalism in the country and other important issues related therewith. The major issues put forth before the Committee by these witnesses were, as follows:-

- (i) The instant representation of Shri Manohar Singh and others brings out a range of issues such as establishing Media Commission and Media Council, including various problems being faced by the journalists in the country such as safety, social and financial security to senior citizen journalists, setting up of a Media Helpline.
- (ii) The Government and the Ministry is committed to facilitating the independent and a free environment for media and providing the journalists all the safeguards and facilities as per the constitutional provisions and laws of the land.
- (iii) Though Media is a broad sector which also includes the entertainment industry, as the issues raised in the instant representation basically pertain to Journalism.
- (iv) Press Council Act was enacted in the year 1965 and a year after that, Press Council of India was set up which set ethical standards for Journalism as to how Newspaper/periodical Agencies should work appropriately and how these could be supported.
- (v) At present, the problem being faced by the Ministry is that there is different Regulations and Acts in respect to the news content available in the print media and in the electronic media (which comes under the purview of the Cable Television Network Act, 1995). However, there is no regulatory framework for news content available in the digital platforms, though, all the provisions of the IPC and the Information Technology Act are applicable as far as news content are concerned.
- (vi) Self Regulatory Bodies such as the National Broadcasting Standards Authority (NBSA) under the News Broadcasters Association (NBA) and the Broadcasting Content Complaints Council under the Indian Broadcasting Foundation have formulated a self regulatory mechanism to address the problems being faced by the journalists. Further, NBSA has also formulated a code of ethics for the journalists.

- (vii) Beyond the established self regulatory mechanism, there is an Inter-Ministerial Committee headed by the Additional Secretary, Ministry of Information & Broadcasting which look into the complaints against the TV channels including new channels, if need arises. The Committee took action against 107 channels between 2017 and 2020 in the form of advisories, apology scroll, warning, off air for few hours/days.
- (viii) The subject related to news and current affairs available on online platforms has been recently transferred to the Ministry of Information & Broadcasting from the Ministry of Electronics and Information Technology (Meity).
- (ix) There are approximately 1.4 lakh newspapers/periodicals published through print media and 926 TV registered Channels including 350 News Channels in the Country. The Ministry is contemplating as to how these could be registered and brought under a system without any regulation.
- (x) As regards Media Commission or Media Council, the Ministry is already working as to how these could be integrated with other such Bodies/Associations related to the media or journalism and with the help of emerging technologies, while providing them a level playing field.
- (xi) The Ministry of Information & Broadcasting are contemplating for repealing the obsolete Press and Registration of Books Act, 1867 (PRB Act) which has a cumbersome registration process for publishing any newspaper or periodicals under the provisions by providing a simplified and hassle-free mechanism for online registration and/or to make the title verification and registration in case of a new Publication. After that, there will be no requirement of any person to apply to the District Magistrate for any declaration before starting a Publication.
- (xii) In December, 2019, the PIB created a Fact-Check Unit to refute the fake news whenever it comes to its notice with a view to propagating awareness towards the menace of fake news. On 1 April, 2020, a dedicated Fact-Check Unit for Covid-19 has been started which provide all information related to the pandemic through a Centralised Portal.
- (xiii) There is a Journalists Welfare Scheme under which the Ministry provide Rs.5 Lakh to the next of kin of the deceased in case of death of a Journalist. The Ministry is considering for increasing this amount of Rs.5 lakh to a suitable amount to meet the needs of the deceased family.

5. After hearing the views of the representatives of the Ministry of Information & Broadcasting, the Committee expressed their views, as under:-



**MINUTES OF THE FOURTEENTH SITTING OF THE COMMITTEE ON PETITIONS  
(SEVENTEENTH LOK SABHA)**

The Committee met on Monday, 8 February, 2021 from 1130 hrs. to 1230 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

**PRESENT**

Dr. Virendra Kumar - Chairperson

**MEMBERS**

2. Shri Harish Dwivedi
3. Shri Brijendra Singh
4. Shri Manoj Tiwari
5. Shri Rajan Vichare

**SECRETARIAT**

1. Shri T. G. Chandrasekhar - Joint Secretary
2. Shri Raju Srivastava - Director
3. Shri G. C. Dobhal - Additional Director

2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee.

3. The Committee, thereafter, took up for consideration the following Draft Reports :-

(i)	***	***	***	***
(ii)	***	***	***	***

(iii) Report on the representation of Shri Manohar Singh and others regarding introducing reforms in Journalism in the country and other important issues related therewith;

(iv)	***	***	***	***
(v)	***	***	***	***
(vi)	***	***	***	***

4. After discussing the above mentioned Draft Reports in detail, the Committee adopted all the six Reports without any modification(s). The Committee also authorised the Chairperson to finalise the Draft Reports and present the same to the House.

The Committee, then, adjourned.

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\*\*\* Does not pertain to this Report.