

INDIAN FEDERATION OF WORKING JOURNALISTS

(Founded on 28 October 1950 at Jantar Mantar in New Delhi and registered as trade union: 1992)

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Dated: 16/02/2018

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Chairman rejects claims of owners & Editors for 13th Press Council Presidents of I.J.U. and NUJ & others told to prove they are working journalists

NEW DELHI: In a major historic decision, Mr. Justice C.K. Prasad (formerly of the Supreme Court), chairman of the Press Council of India, has on Thursday (15 February 2016) disqualified all the six nominees of the Editors Guild, All-India Newspapers Conference (AINEC) and Hindi Samacharpatra Sammelan for the 13th Press Council. Those found ineligible include Mr. Prakash Dube (Nagpur), Mr. Ramesh Gupta (New Delhi), and Mr. Uttamchand Sharma (Muzaffarnagar), who is now seeking another term for three more years, totaling 18 years so far.

The list of owners, which now stands invalid, includes Mr. H.N. Cama, Mr. Ashok Navratnatan. Mr. L.C. Bharatiya and Kundanlal R. Vyas etc. In the journalist lists, those held ineligible for nomination are Mr. S. N. Sinha (IJU), Mr. Ras Bihari (NUJ), Mr. Geetarth Pathak (Assam), among others.

The Chairman noted that IJU's nominee Mr. D. Amar is in fact a **Sakshi** television employee but has claimed to be a Sakshi newspaper staffer. Only print mediapersons are eligible for nomination. Similarly is the name of Ms. Sabina Inderjit who owns and manages a news agency **Indian News and Features Agency (INFA)** and is **not employed** by any newspapers.

However, the disputed nominees of the category of Working Journalists other than Editors, have been asked to submit proofs before 22 February that they are employed full-time or part time in newspapers.

About nominees of working journalist, the Chairman ruled: **“From a plain reading of the aforesaid provision it is evident that to come within the definition of Working Journalist one has to Fulfill the following requirements:**

- a) The person's principal avocation should be that of the journalist;
- b) Such person should be employed as such i.e. journalist;
- c) Such employment has to be either whole-time or part time;
- d) The Whole-time and part-time employment has to be in, or in relation to, one or more newspaper establishments;

The Chairman said: “According to the assertion of the nominating Associations themselves Mr. Joginder Singh Chawla, Mr. S. N. Sinha, Mr. Ras Bihari, Mr. Geetartha Pathak, Mr. Harish Chand Tiwari, Mr. Jagdish Chandra Verma, Mr. Pradeep Sharma and Mr. Suresh Kumar V. S are freelancer and it is not their claim that they are employed as journalists either whole-time or part-time in, or in relation to, one or more newspaper establishment. Some of these persons claim to be the Working Journalist on the basis of the identity cards issued by the Press Information Bureau. Further some of the freelancers have subsequently filed few ‘clippings’ of their publication in different newspapers to claim nomination under the ‘Working Journalist category’. However, nothing has been placed on record to show that they are employed as journalist, either whole-time or part-time. Further it is not their claim that any such employment is in, or relation to one or more newspaper establishment. This question came up for consideration before the Delhi High Court in the case of Suraj Prakash v/s Union of Indian & Others, dated 15-11-1990, and on review of the relevant provision of the Press Council Act, held as follows;

“Two conditions must be fulfilled to qualify a person to be a working journalist. First, that he must be a journalist whose principal avocation is that of a journalist. Secondly, that he must be employed as such in, or in relation to, any newspaper establishment (See the Management of Express Newspaper Ltd v. B. Somayajulu and others, AIR 1984 S.C. 279 (7). The Press Council Act provides for nomination of persons who are ‘Working journalist’ as defined under the Act. The rule of the Press Information Bureau may allow any journalist, to be accredited with it but that itself shall not be enough to make him eligible for nomination under Section 5(3) (a) of the Press Council Act. It has to be borne in mind that section 5 (3) (a) of the Press Council Act mandates that the number of Working Journalists other than Editors of newspaper published in Indian language shall be not less than four. The freelancers do not claim to be employed with any newspaper either whole-time or part-time and in the absence of these of it shall not be possible to ascertain the language in which they are to be nominated.”

For all these reasons I am of the opinion that the freelancers not employed as journalists either whole-time or part-time in or in relation to one or more newspaper establishment are ineligible for nomination under the category of Working Journalist other than Editors.

Applying this principle, I hold that freelancers named above are not eligible for nomination under this category.”

Signed: C.K. Prasad
Chairman: Press Council

For details See, Press Council Web Site

http://presscouncil.nic.in/Content/WhatNew/7_WhatNew.aspx

regards



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