

PRESS COUNCIL(PROCEDURE FOR INQUIRY) REGULATIONS, 1979

Tio W-33004/99 REGD. NO. D. [„-33004/99 Che Gazette of •tidia 9] No. 91 EXTRAORDINARY PART III—section 4 PUBLIST11fD BY AU"11-i0RITY 5, 2007/€rv 15, 1928 NEW DELHI, FRIDAY, JANUARY S, 2007fPATdSA 15, 1928 14 2006 1, 2. 3. (F-17Ä4/06-07.—qT7fiq 1978 (1978 37) 26 (TV) f4f@q, 1979 i : 2006 (2) 1979, 2(Z:) I (G) 14 (i) "ii*V7" 34fi-BiCJT f%7, *zfrm, , i, til (1) a-q 9*rFit 2 4. 5. 6

7. THE GAWITE OF INDIA : EXIRAORDINARY [PART111—SEC.4) 3V-z«-i ,) (q) (i) (ii) (IT) zn fä-€p-a 4(1) 4(2) , (1) vi 45 14 14 . Eht (35) : (73) (ftqb (fini)/ 1 15 (4) 1 7-12 i : 14 1979 i 3 PRESS COUNCIL OF NOTWK'ATION New Delhi, the 14th December, 2006 F.17/4/06-07.—Inexercise Of the powers conferred by clause (c) of Section 26 of the Press Council Aco 1978 (37 of 197\$), the Press Council of India hereby makes the following amendments to the Press Couacil (Procedure for Inquiry) Regulations, 1979 ; 1. Short Title and Commencement : (I) These Regulations may be called the Press Council (Procedure for Inquiry) (Amendment) Regulations, 2006. 2. 3. 4. (2) They shall corneintoforce on the date Of their publication in the Official Gazette. In the Press Council (Procedure for [nquity) Regulations, 1979, Regulation 2 (e) shall be substituted as : (e) "Matter" in the case Of complaints under Section 14(1) means an article, news-item, news-report, or any other matter whßch is published by a newspaper or transmitted by a news agency by any means whatsoever and includes a cartoon, picture, photograph strip or advertisement which is published in a newspaper; and in the ease of complaints relating to other matters, 'matter' relates Io an action or inaction said to impinge upon the freedom of the press. For Regulation 3(1) and the following shall be substituted, as : (I) where apersonmakesacomplainttotheCouncil inrespectofthepubhcationornon-publication Of any matter ill any newspaper or news agency, under Section 14(1) of the Act. he shall file the complaint in duplicate with sufficient copies for the respondents listed and shall— (a) furnish the name and address of the newspaper, news agency, editor or other workizgjournalistagainst whom the complaint is preferred and in cases where the complaint relates to the publication of matter in a newspaper or to the transmission by a news agency, forward along with the complaint a cutting of the matter complained of in original or a self attested copy thereof and such other particulars as are relevant to the subject- matter of the complaint; and Where the complaint is in respect of non-pubhcation Of matter, the original or a self attested copy Of the matter, non-publication of which is complained of; (English teanslation of the matter if it is in vernacular) Proviso to Regulations 3 (ii) shall be substituted : Provided that the Chairman may, if satisfied that the complainant has acted promptly, but that the delay in filing the complaint within the period prescribed under sub-clause (i) or sub-clause (ii) of Regulation (3) I (f) has been caused by reason of the time taken to comply with the condition laid down in sub-clause (c) supra or on account of other sufficient cause condone the delay and entertain the complaint. 5, Regulations 4(1) and 4(2) shall be substituted as: (I) Wh'creacomplainantdoes notcomplywiththerequirements ofregulation 3, the Chairmanmayreturnthecomplaint under registered post acknowledgement due asking the complainant to bring itin conformity with such requirements and represent it within such time as he may deem fit iu that behalf. (2) Wh'creacomplainantfails tocomplywiththerequirements within four weeks of service(hereof, the Chairman may decide to clov action in the matter. The Council shall, at its next meeting, be apprised of such decision. 6, Regulation 5 shan be substituted as : Issue Of Notice: (I) AS soon as possible, and in any case not later than forty five days from the date of receipt of a complaint complete in ail respects, under the direction of the Chairman, a copy thereof slid! be to the newspaper, news agency, editor or other working journalist against which or whom the complaint has been made, under regulation 3 along with a notice requiring the newspaper, news agency, editor or other working journalist, as the case may be, [o show cause why action should not be taken under Section 14 ofthe Act. Provided that inappropriate cases the Chairman shall have the discretion to extend time for the issuance of the notice

7. Proviso to Regulation 14 shall be inserted, as : Provided that a person making such a complaint shall make the complaint in duplicate with sufficient copies for the respondents listed and shali GAZEI*IE OF : EXTRAORDINARY (a) Give complete particulars Of iherespondent(s) Viz., name, designation and complete address. State how the actionlinaction of the respondent authorities amounts to euFtailment of the. freedom of the press Mention the possible reason for the action/inaction of lthe duly

supported by documentary evidence, -An C',Lse the action of the is a reprisal measure for writings in the newspaper. critical of the respondent'(s), the cuttings of such reports be furnished ill original or as self attested copies. {English translation, if the news item(s) is in vernacular}. (c) Draw the attention of the towards the grievance and furnish a copy Of the letter written to the respondent(syauthorities. Furnish a copyof the reply, if any, received from the Provided that the Chairman may waive this requirement in his discretion. (d) Place before the Council relevant facts along with the supporting documents. (e) (i) Timetortiling complaint: 4months from the date of cause of action. (ii) Provided that theChaitman may condone the delayifhe is satisfied that thereexisLsufficientreasonsfor such condonation. Qi) Make and subscribe to the declaration prescribed in Regulation 3(2) snpra. Further provided on receipt of such complaints complete in all respects, under the direction of the Chairman, a copy thereof shall be sent to the authority against whom the complaint has been rnade along with notice for statement in ceply as to why the matter does not warrant observation under Section 5(41) of the Act. That theprocedure specified in Regulation 7-12 above shall thexafter be adopted, VIBHA BHARGAVA, seev. IADVT. 11MV,'149/2006Exty.i Foot Note : 'Ime Principal Regulations were notified on November 14, 1979. Printed by the Manager, Govt. of india Press, Ring Read, Mayapuri, New Delhi-110004 and Published by the Controller Of

