



PRESS COUNCIL OF INDIA
New Delhi



SUBCOMMMITTEE REPORT
ON SAFETY OF JOURNALISTS


Rajeev Ranjan Nag
(Member)


K. Amarnath
(Member - Convenor)

REPORT OF THE PRESS COUNCIL OF INDIA SUB-COMMITTEE ON SAFETY OF JOURNALISTS

Introduction

The Press Council of India at its meeting on 19th September 2011 decided to appoint a Sub-Committee to examine the larger issue of Safety Journalists in the country after considering the representations made by the Indian Journalists Union, Maharashtra State Rural Journalists Union and some members of the Council in the wake of brutal murder of Jyotirmoy Dey of Mid-Day in Mumbai. By an order dated 17th October 2011, the Hon'ble Chairman of the Council appointed a six member Sub-Committee with the following members:

1. Shri K Amarnath Convener
2. Shri Sanjay Dina Patil, MP
3. Shri Anil Jugal Kishore Agarwal
4. Shri Arvind S Tengse
5. Shri Sanjay Gupta
6. Dr. Ramasubba Iyer Lakshmipathy

Later the following members were included making it a 10 member Committee

1. Shri Kalyan Barooah
2. Shri Rajeev Ranjan Nag
3. Shri Arun Kumar
4. Shri Uppala Lakshman

Visits to various states

The Sub-Committee visited the following 11 states and interacted with top Government officials and representatives of Journalists Unions/Associations and Press Clubs and with groups of journalists. Summary of the discussions the committee had with government officials and journalists is given below.

Uttar Pradesh

The committee held its first meeting at Lucknow on 27th March 2012 after the meeting of the Press Council of India. The Hon'ble Chairman Justice Markandey Katju and Secretary Smt. Vibha Bhargava were also present.

The Principal Secretary (Home), Director, I&PR department appeared before the committee and stated that the state government was sensitive to the safety of journalists and strict action was taken whenever complaint of attack was made.

They stated that there were Grievances Redress Committees at district level and aggrieved journalists could approach them.

Members asked the officials to submit a report on attacks on journalists in the state the action taken on them. The Director stated that the details were not readily available. They promised to send a report to the Council later. However, the Council did not receive any such report so far.

At the interaction with journalists, several incidents of attacks on journalists were mentioned. They said police were inactive and not even a single person was punished in any case of attack on journalists. They said there should be a separate law for protection of journalists.

Maharashtra

In Maharashtra, the Sub-Committee visited Mumbai and Pune on 23rd and 24th April 2012. In Mumbai, the Director-General of Information and Public Relations Department and Inspector General of Police appeared before the Committee. They told the Committee that the Government of Maharashtra was aware of the gravity attacks on journalists in the state. They said the Cabinet appointed a committee of Ministers to examine the feasibility of enacting a law for the protection of journalists and it was awaited.

The Inspector General of Police said between 2005 – 2012 police registered 243 cases in the entire state regarding harassment/assaults/attacks on journalists. He stated that majority of the cases were of bailable nature. He said the Director General of Police issued a circular to all District Superintendents of Police and Commissioners of Cities in the state asking them to provide necessary protection to journalists. When the committee wanted to know whether there was any conviction in cases of attacks on journalists, he replied that most of the cases were under trial.

The Mumbai Marathi Patrakar Sangh in its representation to the Committee submitted that any attack on journalist on duty should be treated as non-bailable offence and such cases should be decided in minimum time through fast track courts mechanism. The delegation also mentioned about the menace of bogus journalists who were indulging in blackmail and wanted action against them.

The representatives of the Mumbai Press Club said Jyotirmoy Dey was murdered in broad day light because of his writings against a member of the Maharashtra Legislative Council, sand mafia and liquor mafia. They said police registered cases against 180 journalists in the last five years and most of them

were withdrawn after the journalists agitated. They also suggested that a separate law should be enacted for the safety of journalists.

In Pune, the Press Club representatives expressed concern over the increasing cases of attacks on journalists in the state. They also suggested separate law for protection of journalists.

Jammu and Kashmir

The Committee visited Srinagar on 18-20 June 2012 and interacted with officials of Information Department, Police officers, Army officers, officers of BSF and journalists.

A meeting of the journalists with the members of the Sub-committee was held on 18th June where about 60 journalists from print, electronic media and editors were present. The journalists said about 25 journalists were killed in the last 20 years while discharging their duties. They said the journalists were targets of the armed extremist elements, security forces and police.

They highlighted the challenges journalists faced in their day to day work. Apart from killings, several journalists suffered grievous injuries in attacks of the extremists and at the hands of the Para-military personnel.

A senior journalist said since 2008, the security forces personnel were beating up journalists who went to cover incidents whenever the extremists targeted the security establishments. He said on a single day about 25 journalists were beaten up by the security personnel even though they carried accreditation cards and curfew passes.

The representatives of the Photo-journalists said they were targets of attacks for the security forces and their cameras and other equipment were taken away and never returned.

Several senior journalists said that the Armed Forces Special Powers Act should be revoked as it was giving enormous powers to the security forces and they were targeting the media but no action could be taken against them. They also suggested that the journalists especially the video and photo journalists should be given special jackets so that they could be easily identifiable and the security forces could not get an alibi to claim that they could not identify the journalists while dealing with miscreants.

The Committee members interacted with the Spl. Director General of Central Reserve Police Force (CRPF). He informed that the force has immense respect

for the journalists as they were exercising the freedom of press guaranteed in the constitution. He made it clear that they did not have any intention to create hindrance to the work of the journalists.

He however stressed that "some incidents against journalists do happen as they interfere with the work of the forces while they were performing service to the nation." He assured the committee that they would frame some guidelines so that the media could have access to information from the forces. He strongly opposed the suggestion for revocation of Armed Forces Special Powers Act as it was necessary in the national interest.

The Director General of Police, J&K who met the Committee in his office stressed that the police force was committed to ensure the safety of journalists. He said he was prepared to interact with the media and give all the possible information. He said he was prepared to take corrective action if incidents of attacks on journalists by the police personnel were brought to his notice. He said the police were prepared to supply jackets with Media imprinted on them at their cost.

The Committee interacted with Lt. General who headed the GOC 15 Corps. The army officials said they were trying to give as much information as possible to journalists whenever an incident occurred but could not allow the media come to the scene of operation while it was in progress as it might endanger their lives. He also stressed the journalists should exercise caution not jeopardize ongoing action. He agreed to designate a senior officer to co-ordinate with the media.

He suggested that the journalists should be trained to report from conflict zones and offered to organize such workshops/training sessions if the media personnel came forward.

West Bengal

The Sub-committee visited Kolkata on 2-3 July 2012 and held discussions with the officials and journalists.

At a meeting of journalists where more than 40 senior journalists and representatives of journalists' organizations present, it was stated that some political elements was intolerant of media criticism and instigate police and anti-social elements against journalists. They said it was happening since last 35 years and change of political guard did not improve the situation. They cited several incidents of harassment and attacks on journalists in the last one year and said the atmosphere of fear was prevalent among journalists.

Representative of a journalists body said there were about 50 cases of attacks on journalists in the last four years and no action was taken against the culprits. "Newspapers publish reports of attacks and police register cases but nothing happens later," she lamented.

On need for a separate law for protection of journalists, there were differing views. Some suggested that there was no use of new law as the existing laws were enough to deal with such cases if the government had the will to act against the culprits as the attackers always had some political backing or the other. But some journalists said there should be special law and the punishment for attack against journalist should stringent.

The Committee interacted with the Director General of Police, Principal Secretary, Home Department of Government of West Bengal. The officials stressed that they were taking stringent action against those who attack the journalists. But when questioned to give details of cases registered and their outcome, they said the details were not readily available and they would intimate the committee later.

Kerala

The sub-committee visited Thiruvananthapuram on December 5-6, 2012 and interacted with the journalists and government officials.

At a meeting with journalists, the representatives of journalists' organizations and individual journalists said there was lot of attacks on journalists from political parties, mafias and police. They cited several instances and said the police were not taking action after registering cases. Not a single was filed in the court in the last ten years. Police harass journalists and snatch away their cameras whenever photos were taken during agitations. "Everybody condemn attack on journalists. But nothing was done later to bring the culprits to book," they complained.

The Committee met Director General of Police, Principal Secretary, Home department. The committee brought specific instances cited by the journalists to their notice. They promised to look in to them and do the needful. They said the administration was sensitive to the freedom of the press and would not try to curb it anyway.

The Committee called on the Minister for Information and Cultural affairs who said the government would appoint a high power committee to deal with cases of attacks on journalists with officials and representatives of the journalists.

Jharkhand

The Sub-committee visited Ranchi on 14-15 March 2013 and held discussions with individual journalists, representatives of journalists' organisations and government officials about the safety of journalists in the state.

Most of the journalists and some editors spoke about the miserable state of working and living conditions of working journalists in the state. They complained that most of the newspapers including big papers were not giving appointment letter and not paying statutory wages as per the wage board recommendations.

They said journalists were facing threats from the extremist elements on one hand and police and other paramilitary forces operating in the extremist operating areas. There were also threats from the coal and land mafias operating in coal mining and forest areas. They said the rural journalists faced threats from not only from Maoists and police but also from local mafias of stone-crusher owners and goons in small towns and rural areas.

There was a specific complaint that in the Maoist affected areas, the police were forcing the journalists to act as Special Police Officers (SPOs), thereby making them vulnerable.

Photo journalists' representatives said they were the worst victims of police and naxalites whenever there was conflict.

The family members of Mr. Pramod Kumar Munna, Editor of a local news magazine in Deogarh, a district town who was killed in December 2007 complained that the investigation in to his murder did not make any progress even after a lapse of five years. They alleged that the journalist was murdered as he exposed the corrupt and illegal activities of a Minister in then Madhu Koda government. The police were not taking interest due to political influence. They demanded that the case should be transferred to CBI.

An editor complained that the telephones of several journalists, particularly those dealing with Naxalites, were being tapped. Among those who appeared before the committee included representatives of Jharkhand Union of Journalists, Jharkhand Shramjeevi Patrakar Sangh, Jharkhand Press Club.

The Home Secretary and the Secretary, Information and Public Relations Department who met the committee denied specific allegations of phone tapping and forcing the journalists to work as SPOs. They said told the

committee that the police were investigating the case of murder of Mr. Munna and there was delay because of lack of direct evidence. They said the CBI refused to take up the case citing work load when the State Government approached it.

Tripura

The Sub-committee visited Agartala on 10-11 June 2013 and interacted with the working journalists, editors and representatives of the journalists' bodies. It also met top officials and the Chief Minister of the state and discussed the safety of journalists in the state.

The journalists' organisations representatives said while the situation was by and large good, there were disturbing attacks on the journalists; one by police at MBB College in 2012 and one by doctors in 2013 at Agartala Medical College Hospital.

They pointed to a gruesome attack at the Gana Dhoot newspaper premises in May 2013 where a working journalist and two others were killed, even though it was not related to journalistic functions. They demanded that the family of the slain journalist should be adequately compensated.

Some senior journalists raised the issues of paid news, which corroded the moral fabric of the media, lack of job security and non-implementation of the wage board recommendations.

The Sub-committee met Secretary, Home Department and Inspector General of Police (Law and Order), who apprised the committee on the steps taken on the attacks on journalists in the last two years. They pointed out that except the two incidents; there were no complaints from the journalists in the last two decades.

They said the incident at Gana Dhoot where a proof reader was killed related to a private dispute and the police were investigating the case. They said the Government would favorably consider the demand for compensation to the slain journalist.

The Sub-committee members called on the Chief Minister of the state and discussed the safety of journalists in the state. He also promised to consider the issue of paying compensation to the slain journalist in Gana Dhoot case.

Chhattisgarh

The Committee visited Raipur on 24-25 June 2013 and held hearing with the journalists and state government officials.

The representatives of Chhattisgarh Working Journalists Union, Chhattisgarh Union of Journalists, Raipur Press Club, Chhattisgarh Print Media Journalists Association and some individual journalists and Editors appeared before the committee and expressed their opinions.

They said three journalists, Sushil Pathak in Bilaspur, Umesh Rajput in Chhura (Gariyabandh) and Nemichand Jain in Sukma, Bastar, were killed in the state in the last three years but so far there was no headway in the investigation by the police.

They further complained that there were several incidents of attacks on journalists in the districts of Korea, Champa, Janjgir, Korba and Raigarh but no one was arrested and there was no headway in the complaints filed by the journalists.

They complained that due political prejudices, some newspapers and news magazines were not given passes for the coverage of proceedings of the state Assembly.

The representatives of the journalists' bodies complained that the State Government was using the Public Safety Act to harass journalists writing about the naxalites and in some cases journalists were arrested and they could not get bail. They said the naxalites threatened them if they did not give publicity to their statements.

About eight journalists working in the remote and forest areas of the state where the Maoists were big force, requested the convener to meet to give them an appointment in private as they were afraid of private appearance. The convener and other members met them in the hotel, where they were staying without the presence of government officials.

They narrated their woes including non-payment of proper wages by the managements. They said the newspapers publish their stories on the situation and on the activities of the Maoists but refused to acknowledge that they were writing for them when pressure came from the police or the Maoists. They said the Maoists threatened them whenever they suspected that the reporters carried information about their whereabouts to the police or intelligence agencies.

Likewise, the police were pressuring them when they suspected that the reporters were informing their movement to the Maoists. They requested the

Committee to understand their difficult situation and make recommendations to ensure not only their physical safety but also job and financial security. They said the state governments should come to their rescue whenever they came under attack from the state players or non-state players.

They also requested that the managements of the newspapers and news channels should be forced to give them appointment letters and minimum wages as recommended by the wage boards. At present no newspaper was paying them statutory wages and regularly.

The journalists and their representatives spoke of poor salaries and security of employment. They alleged that except a few, no newspaper was implementing the wage board recommendations and the state government did not take any action.

The Committee met the Chief Minister, Director-General of Police (DGP), Principal Secretary (Home) and Commissioner and Secretary of Information Department and discussed the issues relating to safety of journalists. The Chief Minister and other top officials said there was no harassment of journalists in the state and they were provided adequate security whenever they reported threats from extremists.

They said the investigations into the murder of journalists were progressing well and they were sure of bringing the culprits to justice. They assured the committee that they would review cases filed against journalists and would be withdrawn if enough evidence was not found. The Chief Minister enumerated welfare schemes implemented by his government for the journalists.

Assam

The Sub-committee held its hearing in Guwahati on 11-12 September 2013 and met representatives of journalists, editors, individual journalists, the Chief Minister, Secretary, Home and I&PR Department and Inspector-General (Law and Order).

The Representatives of the Journalists Union appeared before the Committee and submitted that 26 journalists were killed in the state in the last 22 years and not a single culprit was punished so far. About 22 of them were killed by the militants of separate hues. Except in two cases, there was no progress in investigation and trial. They demanded that there should be some time frame and each case of murder of journalist should be referred to a fast track court.

They lamented that the North-East was the most dangerous place to work. On the one hand they did not have any security and on the other hand the journalists were the worst paid of the wage-earners. The cases of physical and mental harassment were increasing 'by leaps and bounds', the investigation in to such case was lethargic and far from satisfactory.

They also complained about the poor working and living conditions of the working journalists, particularly the rural journalists. They said except one or two big newspapers, no other newspaper, whether small or big, was paying the statutory wages recommended by the wage boards.

The officials said charge-sheets were filed in 12 cases so far and final reports were submitted in two more cases. The other cases were at various stages of investigation. When the committee suggested that the cases might be referred to fast track courts, the officials said there were legal problems and they had to take the permission of the Guwahati High Court.

When the committee brought this issue to the notice of the Chief Minister, he promised to get it examined and try to get the cases expedited.

The representatives of Assam Journalists Union, Assam Press Correspondents Union, Assam Tribune Employees Union, Journalists Forum of Assam, Press Club, Guwahati and several editors and individual journalists appeared before the committee.

Meghalaya

The sub-committee visited Shillong on 13 September and held discussions with the working journalists, editors and government officials on the threats to the safety of journalists.

The journalists complained that they faced threats from some militant organisations who wanted their press releases be published in full. They said some miscreants were lobbing petrol bomb on their offices to intimidate them. They said the press vehicles were targeted during bandhs and sometimes they were burnt down.

Some editors complained that they received threatening calls. Some lawyers were filing cases against journalists, editors and newspapers at slightest provocation to brow-beat them.

They also raised concerns over lack job security and low wages, while the editors of small newspapers complained that the government was discriminating

them in issue of advertisements. They also lamented that the government did not raise the advertisement tariffs for the last 17 years or so inspite of rising cost of publication.

The journalists complained that some legislators were attacking them with impunity and cited the case of recent attack on a photo journalist by a legislator in the Assembly premises.

The Committee met the Minster for Home and Information and Public Relations and discussed the security of journalists. She assured the committee that the government would take all possible steps to protect journalists and they functioned without any fear or hindrance.

Manipur

The Sub-committee visited Imphal on 25-26 September 2013 and interacted with the media persons and the state government officials.

The journalists, editors and representatives of All Manipur Working Journalists Union (AMWJU) stated that seven journalists were killed in the state in the last 20 years and scores of others were injured in attacks by the militants groups or firing by the paramilitary forces. They pointed out that not even a single case was solved and the perpetrators brought to justice.

The Journalists pointed out the neither state government nor the paramilitary forces paid adequate compensation to the families of the journalists killed so far. They stated that the journalists were sandwiched between the militant groups; about 40 such groups were operating in the state; and the security forces.

They pointed out that several journalists were taken hostage by the militant groups whenever they thought they were not getting adequate coverage of their statements. It had become a routine for them to get threats from the militants or security forces.

In this connection, they cited a recent case of an editor of a local newspaper receiving a notice from the National Investigation Agency (NIA) asking him to disclose the source of a photo published in his paper in 2010 on a militant outfit celebrating its founding day.

The journalists complained that Armed Forces Special Powers Act (AFSPA) which gave enormous powers and immunity to the security forces was often used to intimidate and threaten journalists.

The editors and representatives of the Journalists Union lamented that the newspapers were shutting down their publications whenever the militant groups make impossible demands or threaten the hawkers from distributing the newspapers. They cited a recent case when the newspapers ceased their publication for about a week after a militant group threatened the hawkers.

The sub-committee interacted with Secretary and Commissioner, Information and Public Relations Department, Principal Secretary (Home), Director General of Police (DGP). It also met Inspector General of Assam Rifles and a representative of the Army and discussed the security of journalists.

The representatives of army and paramilitary forces said while it was not their intention to intimidate the journalists, some friction arose because of problems of identification of journalists when action was taking place.

The representatives of the paramilitary forces and army assured the sub-committee that they had great respect towards journalists and their profession and they would interact with the representatives of the journalists to resolve their concerns. The police officers also assured the committee that they would hold discussions with the journalists' organisations at regular intervals and solve their problems.

The Committee called on the Dy. Chief Minister and apprised him of the threat perceptions of the working journalists in the state. He assured the committee that the government would take all possible steps to secure the lives of journalists who were an important part of the democratic process. He narrated the difficulties in the security situation as there were more than 50 militant outfits operate in the state. He also promised to float a fund to compensate the journalists and their families in the state.

Summary and Findings

The Sub-committee visited 11 states and interacted with about 1200 working journalists, editors and representatives of the working journalists' organisations. It also met top civilian and police officers in all the states it visited. In some states, the Committee also met Chief Ministers and Ministers. It discussed peculiar problems the journalists were facing during their line of duty with Commanding Officers of the army and the paramilitary forces in extremist activities affected states of Jammu & Kashmir and Manipur.

The Committee could not visit Arunachal Pradesh due to the non-cooperation of the state government. The Council Secretariat tried its best to fix itinerary for

the sub-committee at least four times. Each time the state government authorities came up with lame excuses and sought postponement of the visit of the committee. The Committee wanted to visit the state to have firsthand knowledge on the security journalists there after a series attacks involving the militants and security forces. As the term of the last council came to a close, the visit was abandoned.

Most of the journalists felt that whenever a journalist was killed, the state government concerned, including the Chief Minister and political leaders react and promise stringent action. After the din and noise died down, nothing happens. Most of the state governments never come forward to compensate the families of the slain journalists. They were left to their fate. The journalists' community and their organisations also forgot about it and there was never a sustained and continuous follow up action until the case reached its logical conclusion.

They opined that most of the newspaper managements did precious little to put pressure on the state administration or the police to pursue the cases of killing of journalists or the victims of attacks. In case of rural and small town journalists, the managements did not acknowledge that they were working for them.

The journalists across all the states the committee visited, were of the unanimous view that the some effective mechanism should be put in place at the national level to probe and mete out effect punishment to the perpetrators of physical and fatal attacks on the journalists. They said the forces that encouraged and incited violence against the working journalists should also be exposed and punished.

Some journalists and editors said whenever ruling party politicians including ministers were behind the violence, the police and the political leadership would say publicly that the perpetrators however mighty there were, would brought to book, while denying the hand of their party men behind it.

Some family members of journalists who were killed, complained to the Committee that after the initial attention petered off, they were left to fend for themselves. In most cases the police take years to file the charge sheets and arrest the culprits, who usually had support of the political and official establishment.

In states like Assam, Andhra Pradesh, Manipur, Jammu & Kashmir, Chhattisgarh and Jharkhand, not a single person was convicted for killing or attacking the journalists. In these states more than 60 journalists were killed in the last two decades.

In Assam, according to police records, 28 journalists were killed in the last two decades. The police admitted that charge sheets were filed only in 12 cases and in another two cases the investigations were completed. The cases where charge sheets were filed were pending in the courts at various stages. Records in two cases were not immediately available, the police told the Committee. Not even a single accused was in jail as they were granted bail by competent courts.

In case of physical attacks on journalists, there was no record as they were buried in labyrinths of criminal cases as there was no specified category for cases filed for attacks on journalists. When the Committee members specifically asked the neither the journalists nor police and civilian officers who appeared before the committee, could cite a single instance of attackers convicted.

Not even a single person was convicted so far in attack or murder of a journalist with the rare exception of Shakti Mills case where a photo journalist was raped in 2013 in Mumbai. It might be pointed out that Shakti Mills case, the judgment was given within 11 months as it was tried under anti-rape laws in a fast track court.

In some instances, under pressure from the working journalists organisations, public opinion and the Press Council of India, the cases were referred to the Central Bureau of Investigation. But nobody knew the results of their investigation. In one case where a journalist was allegedly killed by toddy mafia in Medak district of then Andhra Pradesh and now in Telangana in 2004, the state government under pressure from Indian Journalists Union (IJU) and its affiliate Andhra Pradesh Union of Working Journalists (APUWJ) referred it to CBI but it did not pin point anybody for the murder. Later the case was dismissed for lack of evidence.

In last two decades, in the united Andhra Pradesh, 12 journalists were killed, one was killed in an alleged fake encounter, one was killed in a cross fire between police and naxalites, one was killed by the naxalites, two were killed by unknown assailants 6 were killed in a blast planted by a mafia and one was killed by a rogue elephant when he went to cover its forays into villages abetting the forest in Srikakulam district. Not a single person was convicted so far in any case.

According to information given by the APUWJ, 27 journalists including cameramen were paid a compensation of Rs. 6 lakhs for their medical expenses and damaged equipment by the Andhra Pradesh government in the case of police attack on journalists covering the students agitation in the Osmania

University campus on the recommendations of an Inquiry Committee appointed by the Press Council of India (PCI) in 2011.

The top officers of Police, paramilitary forces and the army in Jammu & Kashmir and Manipur, who spoke to the Committee said in most cases, the journalists were either killed or injured in security action as they could not be identified by the lower ranks of the forces. (However, the representatives of journalists organisations disputed their claim and said most of the attacks by the cops and jawans were wanton.) They also opined that journalists should be imparted training in covering from the conflict zones.

The Commander of the 9th Corps in Srinagar and a top official of the Assam Rifles in Imphal suggested that the forces are ready to hold refresher courses for the journalists on reporting in conflict zones. In case of Kashmir, the Director General of Police told the committee, the state government was prepared supply jackets with bold inscription 'Press' on it to all journalists free of cost.

All the working journalists' organisations, senior journalists and editors, with whom the committee interacted, suggested that there should be separate law to deal with attacks on journalists, whether fatal or causing injuries. Some of them suggested that the law should be amended to make any physical attack on journalist should be made cognizable offence and the culprits should be denied bail for six months or pendency of trial.

They also suggested that a provision should be made in the law to pay adequate compensation to the families including monthly pension to the spouse of the journalist killed. There should be stringent provisions and heavy punishment so that it could act as a deterrent. Some suggested that the one of the dependents of the slain journalist should be provided a government job commensurate with their qualifications.

The representatives of journalists' organisations in Mumbai told the Committee that the Government of Maharashtra appointed a cabinet sub-committee to study the possibility of enacting a separate Act for the Safety of journalists in 2011 in the wake of day light murder of senior journalist Jyotirmoy De. They said the committee reportedly recommended that a law should be enacted in that regard. However, the cabinet rejected the same due differences among the coalition partners.

The Committee requested the officials of the Maharashtra government to provide a copy of the report. They said it was yet to be considered by the government and it would be made available to the committee after it was

approved by the government. Until date, the Government Maharashtra did not supply the copy of the report to the Council.

Several State Governments stated that they would consider seriously if the central government circulates a model law for their adoption. The Chief Ministers of Chhattisgarh and Tripura, with whom the Committee interacted said they were prepared to enact such a law if it was commended by the Press Council or the Government of India.

The Minister for Information and Culture, Government of Kerala also promised to consider enactment of such a law if they get a model law from Union Government or any other journalists' body.

Apart from the safety and security of journalists, the sub-committee received several representations from the senior journalists, journalists' organisations and editors in all the states on lack of job security, non-implementation of the statutory wages. Rural journalists seemed to be the worst sufferers.

Some self-employed editors complained against the state governments for discriminatory practices in release of advertisements. They also complained about the lack of uniform accreditation policy in several states. There were also complaints that small newspapers published from small towns were discriminated against in accreditations and release of advertisements.

Even though these matters were out of the purview of the sub-committee, the Convener and other members brought these issues to the notice of the officials and other senior functionaries wherever it was possible and sought solution to their problems.

Observations

There are different versions of the number journalists killed world over in the last two decades. According to a report released by the Committee for Protection of Journalists (CPJ), world over 1124 journalists were killed on the line of their duty between January 1992 and 30 April 2015. In India 56 journalists and three media workers were killed during that period.

In a presentation to the Intergovernmental Council of International Program for Development of Communications (IPDC), which met at Paris on 20-21 November 2014, the Director General of UNESCO reported that according to the information compiled by the organization 593 journalists were killed all over the world between 1 January 2006 and 31 December 2013. According to the report 12 journalists were killed in India during that period.

However, according to the 'Death Watch List' of the Vienna based International Press Institute, 845 journalists including 29 from India were killed during the same period. The Institute ranked India as the ninth deadliest country for the journalists in the world in the last two decades.

According to an analysis by the research wing of the CPJ only 6.7 percent of the killings were solved and the culprits brought to the book in the world. The remaining cases are either still pending in courts of law or still unresolved.

However, 80 journalists were killed in India in the last two decades, from 1990-2015. (The List of 80 Journalists, 3 members of family of a journalist and 5 media workers killed in India in the last two and half decades is given in Annexure I) According to officials and representatives of the journalists organisations sources, all most all the cases were still pending in the courts or the police are yet to file charge sheets. Only in one case, the Shakti Mills rape and murder of a woman journalist in 2013, the culprits were given exemplary punishment by the Court within a year. That might be because the case was tried under stringent anti-rape law in a fast tract court.

In Assam, even the officials admitted that out of 24 journalists killed in last 22 years, not even a single case was disposed of by the courts so far and in some cases the charge sheets were yet to be filed.

In Guntur district in Andhra Pradesh a journalist was killed in 2011 and the case is still in initial stages of hearing. Another journalist was killed in November last year and the police are yet to file the charge sheet in a court of law. In blast case, encounter case, naxals killing journalist case, Yadagiri case, the courts dismissed the cases for lack of sufficient evidence.

In Jammu & Kashmir and most of the north eastern states, the situation is precarious. The journalists there were facing multiple threats, from militant and extremist groups, mafias, security forces and political forces.

The scenario is same in all most all the states in the country. The situation is not much different in other states.

Even though our country has robust democratic institutions and vibrant and independent judiciary, the killers of journalists are getting away with impunity. The situation is truly alarming and would impact on the functioning of the democratic institutions in the country.

Alarmed over the increasing killings of journalists all over the world, the United Nations General Assembly has been adopting resolutions almost every year since 2006 safety of journalists and calling upon the member states to “conduct ‘impartial, speedy and effective investigations’ into violence against journalists and to ‘bring the perpetrators of such crimes to justice.’”

It entrusted task of collecting information on the safety journalists to UNESCO and since then it is collecting information from member states. In one of its reports on Safety of Journalists UNESCO said “Every journalist killed or neutralized by terror is an observer less of the human condition. Every attack distorts reality by creating a climate of fear and self-censorship.”

Organisations like International Federation of Journalists (IFJ), Committee for Protections of Journalists (CPJ) and Reporters without Borders called for legal frame work for the safety of journalists and for ending impunity to the perpetrators of violence against journalists.

The UN General Assembly proclaimed November 2 as the International Day to End Impunity for Crimes against Journalists. The UNESCO asked news rooms all over the world to observe two minutes silence on World Press Freedom Day on May 3 to protest against murder of journalists.

In India several working journalists and editors organisations have also called for special legislative arrangement for violence against journalists with provisions for adequate compensations to the family of slain journalists, medical expenses in cases of injuries and replacement of equipment when it was destroyed in the attacks.

Recommendations

The Press Council of India may request the Government of India to:

- 1. Parliament may enact a law for safety of journalists with the following provisions;**
 - a) Anybody who attacks or intimidates a working journalist or Editor by way of violence and or orally or by signs and gestures, it would be made a cognizable offence with stiff and deterrent punishment.**
 - b) All the cases of attacks on journalists, fatal or otherwise, shall be referred to Special Courts which may conduct day to day hearings and the trial may be completed within one year of filing of charge sheet.**

- c) All cases of attacks on journalists, whether fatal or otherwise should be investigated by a special task force under the supervision of the Press Council of India/Court and investigation be completed within a period of one month.
 - d) Whenever a journalist is murdered, the case should be automatically referred to the Central Bureau of Investigation (CBI) or any other national level investigative agency and the investigation may be completed within three months.
 - e) Any case against a journalist or an editor should be booked only after getting clearance from the Director General of Police. (Such a practice is in place in Madhya Pradesh at least on paper)
 - f) Whenever a journalist or editor is killed, Rs. 10 lakhs should be paid by the state government concerned to his/her family members.
 - g) In case of grievous injuries a compensation of Rs. 5 lakhs should be paid to the journalist.
 - h) All the medical expenses of the injured journalist may be paid by the State Government concerned.
 - i) The management of the news organisation should treat the leave of absence of the injured journalist as on duty with full pay and allowances.
2. The Press Council of India may direct all the state governments to constitute High Powered Committees with representation to representative organisations of working journalists and a nominee of the Press Council of India (PCI) to monitor investigation in to all cases of attacks on journalists or cases filed against the journalists. It may also direct the Union Government to constitute a high powered committee with an officer of the rank of Additional Secretary to Government of India, a nominee of PCI and representatives of the National Organisations of working journalists recognized by the PCI.
 3. The PCI may proclaim November 2, as the National Day to End Impunity for Crimes against Journalists and ask all the news rooms across the country to observe two minutes silence in the news rooms to observe the day.
 4. The PCI may appoint a committee of its members to inquire into cases of attacks on journalists in the first meeting of every term with tenure of three years.
 5. The PCI may direct the army and paramilitary commanders to appoint a nodal officer at the state headquarters in the states where

they are operating against militants and extremists so that there is better co-ordination between the media and the forces particularly in states like Jammu & Kashmir, Manipur, Arunachal Pradesh, Jharkhand and Chhattisgarh.

6. The Welfare Scheme being administered by the I&B Ministry should be given wide publicity as it is little known to journalists in the country. The representation in the Committee to sanction relief journalists should be broad-based. (The details of the scheme are given in Annexure II)
7. The PCI may conduct short term refresher courses of two/three days duration and invite high level army/paramilitary/police officers to sensitise journalists working in the conflict zones.

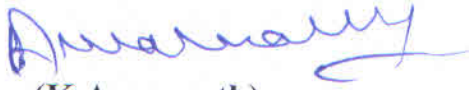
Acknowledgements

We are grateful to the officials of Governments of Uttar Pradesh, Maharashtra, Jammu and Kashmir, West Bengal, Kerala, Jharkhand, Tripura, Chhattisgarh, Assam, Meghalaya and Manipur for making arrangements for the Committee to interact with journalists in their respective states and extending hospitality to the members of the committee.

We thank the representatives of the working journalists and senior journalists who came forward to assist the committee in its work in the state.

Last but not the least we are thankful to the staff of the Council, Bhim Singh and Naveen Joshi who accompanied the Committee to various states and extended the secretarial assistance.


(Rajeev Ranjan Nag)
Member


(K Amarnath)
Member – Convener

Annexure I

List of Journalists killed in India since 1990

1. **Sandeep Kothari**, working for Jabalpur based Hindi newspapers as freelancer
Balaghat District, Madhya Pradesh
June 20, 2015
2. **Jagendra Singh**, Freelance journalist and social media writer
Shajahanpur, Uttar Pradesh
June 8 2015
3. **MVN Shankar**, Correspondent, Andhra Prabha,
Chilakaluripet, Guntur district, Andhra Pradesh
November 26, 2014
4. **Tarun Kumar Acharya**, Correspondent, Kanak TV and Sambad Oriya daily
Khallikote town, Odisha
May 27, 2014
5. **Sai Reddy**, Correspondent Deshbandhu
Bijapur district, Chhattisgarh
December 6, 2013
6. **Rajesh Varma**, Correspondent, IBN 7
Muzaffarnagar, Uttar Pradesh
September 7, 2013
7. **Rakesh Sharma**, Correspondent of Hindi local daily
Ettawah, Uttar Pradesh
August 24, 2013
8. **Narendra Dabholakar**, Correspondent, Sadhana
Pune, Maharashtra
August 20, 2013
9. **Sujit Bahattacharjee**, Proof Reader, Dainik Ganadoot a Bengali Daily
Agartala, Tripura
May 19, 2013
10. **L.Prakash**, Correspondent, Sakshi
Pedakakani, Guntur district, Andhra Pradesh
May 6, 2013
11. **Jitendra Singh**, Correspondent, Prabhat Khabhar
Khunti district, Jharkhand
April 27, 2013
12. **Nemi Chand Jain**, Freelancer

Sukma district, Chhattisgarh
February 12, 2013

13. **Dwijamani Singh**, Reporter, Prime News daily
Imphal, Manipur
December 23, 2012
14. **Chaitali Santra**, Correspondent, Delhi based weekly Julm se Jung
South Banksara, Howrah district, West Bengal
September 27, 2012
15. **Rajesh Mishra**, Correspondent, Media Raj Hindi weekly
Rewa, Madhya Pradesh
March 1, 2012
16. **Chandrika Rai**, Freelancer for Nava Bharat and Hitavada
Umaria district, Madhya Pradesh
February 18, 2012
17. **Jyotirmoy Dey**, Sr. Editor, Mid day
Mumbai, Maharashtra
June 11, 2011
18. **Umesh Rajput**, Reporter, Nai Duniya
Churi Village, Raipur district, Chhattisgarh
January 23, 2011
19. **Sushil Pathak**, Reporter, Dainik Bhaksar
Bilapur, Chhattisgarh
December 20, 2010
20. **Anil Soni**, Journalist at a local hindi daily
Indore, Madhya Pradesh
October 8, 2010
21. **Bimala Prasad Talukdar**, Editor, Swatantra Awaj
Hojai, Assam
September 4, 2010
22. **Vijay Pratap Singh**, Reporter, Indian Express
Allahabad, Uttar Pradesh
July 20, 2010
23. **Nirupama Pathak**, Delhi based journalist
Killed in Koderma, Jharkhand
April 29, 2010
24. **Anil Mazumdar**, Executive Editor, Aji daily
Rajgarh, Guwahati, Assam
March 24, 2009

25. **Vikas Ranjan**, Correspondent, Hindustan
Rusera, Samastipur district, Bihar
November 25, 2008
26. **Jagajit Saikia**, Correspondent, Kokrajhar daily
Kokrajhar, Assam
November 22, 2008
27. **Javed Ahmed Mir**, Channel 9
Srinagar, J&K
August 13, 2008
28. **Ashok Sodhi**, Daily Excelsior,
Samba, J&K
May 11, 2008
29. **Mohammed Muslimuddin**, Asomiya Pratidin
Barpukhuri, Assam
April 1, 2008
30. **K Naga Raju**, Reporter Andhra Prabha
Srikakulam, Andhra Pradesh
October 20, 2007
31. **Bodosa Nrzary**, Editor, Bodoland TV
Bhabanipur, Kokrajhar district, Assam
April 1, 2007
32. **Kanak Raj Medhi**, Freelancer
Sualkuchi, Assam
October 29, 2006
33. **Arun Narayan Dekate**, Correspondent, Tarun Bharat
Nagpur, Maharashtra
June 10, 2006
34. **Prahlad Gowala**, Asomiya Khabar,
Golaghat, Assam
January 6, 2005
35. **Dilip Mohapatra**, Correspondent, Aji Kagoj
Bhagirathipura, Odisha
November 8, 2004
36. **Asiya Jeelani**, Freelancer,
Srinagar, J&K
April 20, 2004
37. **V. Yadagiri**, Correspondent, Andhra Prabha

Medak, Telangana
February 21, 2004

38. **Paramanand Goyal**, Correspondent, Punjab Kesari
Kaithal, Haryana
September 18, 2003
39. **Indra Mohan Hakasama**, Correspondent, Amar Asom
Agia, Goalpara district, Assam
June 24, 2003
40. **Dinesh Brahma**, Journalist, Assassin
Dhubri, Assam
March 24, 2003
41. **Parvaz Mohammed Sultan**, News and Features Alliance
Srinagar, J&K
January 31, 2003
42. **Vikram Singh Bhist**, Video journalist, Asian News International (ANI)
New Delhi
January 9, 2003 (He was injured in attack on Parliament in 2001)
43. **Ram Chandar Chaterpatti**, Journalist with Poorasach daily
Sirsa, Haryana
November 21, 2002
44. **Yambem Maghajib Singh**, Correspondent, North East Vision
Imphal, Manipur
October 13, 2002
45. **Paritosh Pandey**, Correspondent, Jansatta Express
Lucknow, Uttar Pradesh
April 14, 2002
46. **Moolchand Yadav**, Freelancer
Jhansi, Uttar Pradesh
July 30, 2001
47. **Thounaojam Brajamani Singh**, Editor, Manipur News
Imphal, Manipur
August 20, 2000
48. **Pradeep Bhatiya**, Correspondent, Hindustan Times
Srinagar, J&K
August 10, 2000
49. **V Selvaraj**, Correspondent, Nakkeeran weekly
Parambarur, Tamilnadu
July 31, 2000

50. **Adhir Rai**, Freelancer
Deoghar, Jharkhand
March 18, 2000
51. **Ratneswar Sarnia Shastri**, Sr. Journalist
Barpeta, Assam
December 31, 1999
52. **N A Lalruhlu**, Editor, Shan
Imphal, Manipur
October 10, 1999
53. **Irfan Hussain**, Cartoonist, Outlook
New Delhi
March 13, 1999
54. **Shivani Bhatnagar**, Spl. Correspondent, Indian Express
New Delhi
January 23, 1999
55. **Jiten Sutiya**, Freelancer
Sivasagar, Assam
Month & Date not available, 1999
(Killed in a Grenade Explosion in SP's office)
56. **Alfarid Shazad**, Photo journalist
Sivasagar, Assam
Month & Date not available, 1999
(Killed in a Grenade Explosion in SP's office)
57. **Nurul Hoque**, Journalist in a local newspaper
Hojai, Nagaon, Assam
Month & Date not available, 1998
58. **S.Gangadhar Raju**, Staff Reporter, ETV
Hyderabad, Telangana
November 19, 1997
59. **S.Krishna**, Staff Reporter, ETV
Hyderabad, Telangana
November 19, 1997
60. **G.Rajasekhar**, Video journalist, ETV
Hyderabad, Telangana
November 19, 1997
61. **Jagadish Babu**, Video journalist, ETV
Hyderabad, Telangana
November 19, 1997

62. **P.Srinivas Rao**, Video journalist, ETV
Hyderabad, Telangana
November 19, 1997
63. **Saidan Shafi**, Video journalist, Doordarshan
Srinagar, J&K
March 16, 1997
64. **Altaf Ahmed Faktoo**, Video journalist, Doordarshan
Srinagar, J&K
January 1, 1997
65. **Panja Ali**, Journalist in local newspaper
Kasugaon, Kokrajhar district, Assam
Month & Date not available, 1997
66. **Parag Kumar Das**, Executive Editor, Asomiya Pratidin
Guwahati, Assam
May 17, 1996
67. **Manik Deuri**, Freelancer
Diphu, Assam
April 26, 1996
68. **Ghulam Rasool Sheikh**, Correspondent, Rehnuma-E-Kashmir & Saffron Times
Srinagar, J&K
April 10, 1996
69. **Dipak Swargiary**, Freelancer
Goreswar, Assam
September 24, 1995
70. **Mushtag Ali**, Photo journalist, AFP and ANI
Srinagar, J&K
September 10, 1995
71. **Pabitra Narayan**, Correspondent, North East Times
Sonari, Sibsagar district, Assam
August 19, 1995
72. **Ghulam Muhammad Lone**, Freelancer
Kangan, J&K
August 29, 1994
73. **Chada Sridhar Reddy**, Reporter, Andhra Prabha
Nalgonda, Telangana
June 1993 (Date not Available)
74. **Dinesh Pathak**, Sandesh daily

Vadodara, Gujarat
May 22, 1993

75. **Bhola Nath Masoom**, Correspondent, Hind Samachar
Rajpura, Punjab
May 18, 1992
76. **Bakshi Tirath Singh**, Correspondent, Hind Samachar
Dhuri, Punjab
February 27, 1992
77. **Ram Singh Biling**, Correspondent, Azdi Awaz and Daily Ajit
Jalandhar, Punjab
January 3, 1992
78. **Ghula Rasool**, Staff Reporter Udayam
Hyderabad, Telangana
December 30 1991.
79. **Kamala Saikia**, Correspondent, Ajir Asom
Sibsagar, Assam
August 9, 1991
80. **Mallepula Narendra**, Reporter, Eenadu,
Nizamabad, Telangana
January 29, 1991

Three family members of Chandrika Rai killed along with him in Madhya Pradesh on February 18, 2012. **Durga** (wife), **Jalaj** (son) **Nisha** (daughter)

Media workers killed:

1. **M. Vinod Kumar**, *Dinakaran*
May 7, 2007, in Tamil Nadu, India
2. **K. Muthuranalingam**, *Dinakaran*
May 7, 2007, in Tamil Nadu, India
3. **G. Gopinath**, *Dinakaran*
May 7, 2007, in Tamil Nadu, India
4. **Driver (Name not available)**, Ganadoot
Agartala, Tripura
May 19, 2013.
5. **Watchman (Name not available)**, Ganadoot,
Agartala, Tripura
May 19, 2013.

Annexure II

MINISTRY OF INFORMATION & BROADCASTING GUIDELINES FOR JOURNALIST WELFARE SCHEME

(As modified w.e.f. February 1, 2013)

1. **TITLE OF THE SCHEME:** The Scheme may be called the Journalists Welfare Scheme.

2. **PERIOD OF OPERATION:** It shall come into force with effect from 1st February, 2013.

3. **PURPOSE OF THE SCHEME.** To provide one time ex gratia relief on urgent basis to Journalists and their families A journalist for the purpose of this scheme would mean;

(i) A working journalist as defined under the Working Journalists and other Newspaper employees (Condition of Service) and Miscellaneous Provisions Act, 1955, or

(ii) "Media Personnel" whose principal avocation is that of reporting/editing for news channels of radio, TV or web based services and who is employed as such, either whole time or part-time, in or in relation to, one or more such establishments and includes news editor, reporter, photographer, cameraman, photo journalist, freelance journalists, but does not include any such person who

a) Is employed mainly in a managerial or administrative capacity, or

b) Is being employed in a supervisory capacity, performs, either by the nature of the duties attached to his office or by reason of the powers vested in him, function mainly of a managerial nature. Family for the purpose of this Scheme will mean the journalist, spouse, dependent parents and dependent children.

4. **CONSTITUTION AND ADMINISTRATION OF THE SCHEME:**

The Scheme will be constituted under the Ministry of Information & Broadcasting and will be administered by a Committee comprising: Minister/Minister of State of the Ministry of Information & Broadcasting, Govt. of India -Patron Secretary(I&B) Chairperson, Principal DG (M&C) , PIB Member AS &FA Member JS(P) Member Dy Secretary/Director, Member Convener

5. **ELIGIBILITY FOR AVAILING ASSISTANCE FROM THE**

SCHEME: A journalist shall be eligible for relief from the Scheme, provided that-

- 1) He/she is a citizen of India,
- 2) He/she is ordinarily resident of India,

- 3) He/she should be accredited to PIB at the Headquarters of the Govt. of India or at the Headquarters (Capitals) of the State/UT Governments,
- 4) Journalists who are not presently accredited to either the Government of India or any State/UT Government shall also be eligible for relief from the Scheme if they have been journalists as defined under these guidelines for a minimum period of five continuous years.

6. **PROCEDURE FOR SANCTION FROM THE SCHEME:** Proposals received for assistance from the Scheme will be processed by the Principal Director General (Media & Communication), Press Information Bureau (PIB) and will be sent to the Committee with specific recommendation and supporting documents. The recommendation will be considered and decided by the Committee and the assistance will be released with the approval of Minister of Information & Broadcasting. However, in cases of urgency, the Chairman may initiate a case for approval of Minister of Information & Broadcasting. Such approvals will be reported in the next meeting of the Committee.

7. **APPLICATION FORM:** The application for the grant of financial assistance under this scheme shall be submitted to the Principal DG (M&C), PIB in the form prescribed in schedule -I. Any other additional information may be asked by the Committee. The Committee may amend the application format as and when required. The Committee may also suo moto take up cases for grant of financial assistance even if an application has not been received from the journalist/beneficiaries.

8. **ASSISTANCE AVAILABLE UNDER THE SCHEME:**

- (i) Upto Rs.5 lakh may be provided to the family under extreme hardship on account of death of the journalist.
- (ii) Upto Rs.5 lakh may be provided to the journalist in case of permanent disability rendering the journalist incapable of earning a livelihood.
- (iii) Upto Rs.3 lakh may be provided towards the cost of treatment of major ailments such as cancer, renal failure, heart ailments requiring by pass/ open heart surgery, angioplasty, brain hemorrhage and paralytic attack etc. This would be subject to the medical expenditure not being covered under CGHS, or any other insurance/ departmental health schemes, etc. However, relief under this provision is available to the journalist only upto the age of 65 years.
- (iv) Upto Rs.2 lakh may be provided in case of accidents causing serious injuries necessitating hospitalization. This would be subject to

the medical expenditure not being covered under CGHS, or any other insurance/departmental health schemes, etc.

However, in case of non-accredited journalists, the quantum of assistance available for cases (ii), (iii) and (iv) above will be limited to Rupees One Lakh for journalists having worked as such for 5 continuous years and thereafter Rupees One Lakh for every additional 5 years of working in the same manner subject to the maximum ceiling provided in each case

9. **EXCEPTION:** Notwithstanding anything contained in these guidelines, the Committee if it feels necessary in very special/exceptional cases may recommend higher level of assistance or suggest any other deviation of the guidelines for approval of Hon'ble Minister of Information & Broadcasting.

10. **PAYMENT FROM HE SCHEME:** The payments shall be made from the budgetary allocations earmarked for the Journalist Welfare Scheme during the financial year.

11. **BUDGET HEAD:** 2220 Information and Publicity (Major Head) (Non-Plan) 60 Others (Sub Major Head) 60.103 Press Information Services (Minor Head) 01 Press Information Bureau 01.02 Journalist Welfare 01.02.50 Other Charges.

12. **GENERAL:** Grant of financial assistance from the Scheme to any working journalist is not a matter of right. Assistance would be extended depending on the Committees satisfaction regarding the eligibility/merits of the cases and the financial resources available for the purpose. The Committee reserves the right to reject or accept any application without assigning any reasons therefor.
