



PRESS RELEASE

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## Press Council of India Fails its Mandate

The Right Livelihood Award Foundation has been at the forefront of support for press freedom, globally. This is showcased in the jury decision this year to honour Turkish newspaper *Cumhuriyet*, as well as in the selection of recent Laureates Amy Goodman and *The Guardian*. Awards apart, there are other ways in which the Foundation has looked to support responsible journalism.

A recent instance relates to reporting of hate speech in India; the Foundation approached the Press Council of India in the hope that the Council could use an individual instance involving a Laureate to issue broad guidelines and benefit society. Unfortunately, the Press Council, headed by Justice C.K. Prasad, has failed to see merit in the complaint, and has decided not to act on its mandate: to protect press freedoms and raise standards, adjudicating on complaints against newspapers for breaches of journalistic propriety and taste.

The complaint filed with the Press Council relates to 2004 Right Livelihood Award Laureate Swami Agnivesh. On 24 April 2015, vernacular newspapers *Punjab Kesari* and *Dainik Jagran* published the statements of the Haryana Hindu Mahasabha, promising a Rupees INR 500,000 bounty for anyone that would behead Laureate and social activist Swami Agnivesh.

The Mahasabha was responding to Agnivesh's demand for the release of Kashmiri separatist leader Masrat Ali. The news had been printed verbatim, with the article headline reading like a medieval bounty advertisement; it endangered the life of Agnivesh, giving the Mahasabha's inflammatory statement wide circulation.

In the complaint filed with the Press Council of India, the Right Livelihood Award Foundation argued that by choosing to advertise the incitement to murder without filter, the Editors of *Punjab Kesari* and *Dainik Jagran* breached journalistic ethics and committed professional misconduct. The Foundation asked the Council to utilise its mandate to both censure the newspapers and proactively set guidelines on permissible limits to freedom of the press in the context of hate speech and incitement to murder.

The Council issued a show cause notice, and in response the Editor of *Punjab Kesari* defended the Mahasabha that their public utterance against Swami Agnivesh was made without criminal motive. The Editor went on to state that the news "merely shows that there is a hatred in the section of society against Swami Agnivesh for his support to a militant and



anti-national” and lamented that Agnivesh “having politicalised [sic] himself has become a target of controversy and criticism.”

The counter-arguments of the Foundation included details of how a call for beheading another displays clear criminal intent, under Sections 108, 115, and 503 of the Indian Penal Code, 1860 (IPC), and by publicising the call, the newspapers might themselves be held as abettors to murder.

The Press Council decided that while it “may not approve what has been stated by the newspapers”, “it cannot lose sight of the fact that such a statement was made.” The Council found that in publishing the news, the newspapers had not breached journalistic ethics so as to call for any action, and dismissed the complaint.

The instance involving Swami Agnivesh is far from the only instance when the India media has breached ethics and reported calls to violence without discretion in recent times. The Press Council had a golden opportunity to send a message consistent with Section 19(A) of the Indian Constitution that freedom of speech cannot be used to spread hatred and incite violence against individuals and groups.

The people of India have thus lost an opportunity to benefit from more responsible reporting, and may have to wait till an actual independent, functional, and comprehensive media regulator is pushed for and established, one that can both uphold press freedoms and protect citizens from irresponsible journalism.

**For more information, please contact:**

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**About the Right Livelihood Award**

The Right Livelihood Award was established in 1980 to “honour and support courageous people and organisations offering visionary and exemplary solutions to the root causes of global problems”. It has become widely known as the 'Alternative Nobel Prize' and there are now 166 Laureates from 68 countries. In addition to presenting the annual awards, the Right Livelihood Award Foundation supports its Laureates, particularly those who may be in danger due to the nature of their work. Jakob von Uexkull, a Swedish-German professional philatelist, sold his business to provide the original funding. Since then, the awards have been financed by individual donors.