

## FOREWORD

The Press Council Act, 1965 contained a provision in chapter III under the heading "Powers and Functions of the Press Council" in section 12 (2) (b) "to build up a code of conduct for newspapers and journalists in accordance with high professional standards." This provision was repeated in the Press Council Act of 1978 in section 13 (2)(b). It had been the consistent view of the Council that these provisions spoke of building up a code of conduct although the First Press Commission had recommended the formulation of a code of ethics as one of the prime responsibilities of the Council. But when the Parliament actually came to enact the legislation in 1965 it made a departure from that recommendation apparently because it was considered that it would be better and more useful to build up in course of time a body of case law gathered from the principles formulated in adjudications in the several concrete cases coming up before the Council.

The Press Council constituted under the earlier Act had emphasised that attempts at framing an exhaustive code for professional bodies of journalists in various countries including our own have either proved futile or resulted in mere enunciation of certain basic principles in general terms. That had not proved helpful when it came to applying them to individual cases. If those principles were reduced into a kind of a code of conduct of journalistic ethics or propriety by the Council they would have a tendency to attain a degree of rigidity which might give rise to differing interpretations. Moreover, flexibility was essential to meet the needs of specific situations varying from case to case which the Council would have to consider in the course of its normal functioning. So the view that prevailed all along was that it was neither necessary nor desirable, nor even feasible to draw up a comprehensive code, but, as stated before, it would be better and more useful to build up in course of time case law gathered from the principles formulated in the adjudications in the matters coming up before the Council.

The Council constituted in April 1979 under the present Act of 1978 had given a lot of thought on different occasions to the above question. It had even invited views of several press organisations entitled for representation on the Council, the news agencies, and organisations like the Bar Council of India, the University Grants Commission and the Sahitya Academy, and some leading and well known journalists. Their representatives who appeared before the Council expressed their views overwhelmingly against the formulation of any such code.

The Second Press Commission had also recommended that it would not be desirable to draw up a code of ethics for newspapers but that such

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a code could be built up case by case over a period of time. At its meeting held at Bangalore on September 21-22, 1982, the Council decided to prepare and publish a compendium of the case law on the basis of its adjudications, giving at the end of each subject the reasons and the broad principles underlying them. This decision was communicated to the Central Government also by means of a letter in September 1982 in response to a communication from the Ministry of Information and Broadcasting which had suggested that a code should be formulated or at least some guidelines should be codified.

The present compendium contains the reports of adjudications in the form of a digest where the facts in each case have been succinctly stated, and the decision given by the Press Council has been summarised. The adjudications have been so arranged that they have been digested under particular headings. At the end of each set of decisions on a particular subject the reasons and the broad principles underlying those decisions or adjudications have been set up. These would, in clear terms, indicate the principles of journalistic ethics and propriety that have been established by these decisions. This would enable the newspapers, the news agencies, the journalists, and all others concerned to know how the Press Council has evolved and built up case by case certain principles which the Council will apply while deciding complaints coming before it or in which it has taken action *suo motu*. These will also provide help and guidance in the matter of conforming to the maintenance of high standards of professional ethics and public taste.

The compendium has been prepared by the Press Council in collaboration with the Indian Law Institute, New Delhi. Dr. (Mrs.) Alice Jacob Research Professor and Miss Usha Loghani, Associate Research Professor of the Indian Law Institute deserve full credit for the hard work and industry shown by them in the preparation of the compendium under my direction and that of the late Dr. S.N. Jain, the then Director of the Institute who unfortunately met a premature end in a road accident. I have no doubt that this work will prove as useful as the previous studies that have already been published by the joint effort of the Council and the Institute.

It may be added that the second part of the compendium relating to adjudications and principles in matters falling under section 13 of the Act which are of an important and far reaching nature is under preparation and will be published in due course.

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