

CHAPTER XII

JOURNALISTIC IMPROPRIETY (MISCELLANEOUS) : PRINCIPLES

The following principles evolved as a result of the deliberations of the Council of their adjudication on complaints relating to journalistic impropriety (miscellaneous) :

1. As regards the question whether a newspaper can publish matters disclosed in confidence, it has been laid down that any matter discussed or disclosed to a journalist on the understanding that such was not to be published, ought not to be so published, subject to the following conditions :
 - (a) Consent is subsequently obtained for its publication; or
 - (b) The editor clarified by way of an appropriate footnote that since the publication of certain matters were in the public interest, the statement or discussion in question was being published although it had been made "off the record."¹
 - (c) The disclosure is not in a public meeting but in a private meeting with the journalist.
2. In relation to the question whether non-return of an unsolicited manuscript or transparency constitutes journalistic impropriety, it has been stated that while an editor is undoubtedly responsible for what is published in his paper, but as a journalist he cannot be held responsible for the efficiency of his clerical staff as regards safeguarding papers or material that may be sent to him for publication.²
3. As regards publication of advertisements where the text is questioned, two of the relevant points to be considered are :
 - (a) whether the advertisement contains anything unlawful or illegal; and
 - (b) whether its publication is contrary to "good taste or to journalistic ethics or proprieties."³
4. Publication of dummy advertisements, that have neither been paid for nor authorised by the advertisers, constitute a breach of journalistic ethics.⁴

1. Case of *Probe*, Jan. 1983 P.C.I. Rev. 37.

2. Case of *Illustrated Weekly of India*, 1974 Ann. Rep. 121.

3. Case of *Times of India*, 1969 Ann. Rep. 37.

4. Case of *Hitavada*, 1980 Ann. Rep. 115.

5. The press has the right to express opinions held by the editor or other journalists, even if representing a small minority view. But this is subject to the qualification that the published matter does not contravene the “standard of journalistic ethics or public taste.”⁵
6. Wholesale condemnation of a section of the press should be avoided, and special precaution taken to ensure that the attack is directed solely to that specific section of the press which has indulged in publishing improper matter.⁶
7. Proper care should be taken by newspapers in maintaining accuracy in respect of quotations from other newspapers. As regards publication of such quotations with the object of highlighting those views and condemning them, there is no breach of journalistic propriety.⁷
8. A report of an award made to an executive does not necessitate identification of the organisation giving the award.⁸
8. Where a newspaper is charged with violation of journalistic ethics, a plea that it has ceased publication will not allow it to escape adjudication. Discontinuance of the paper affords the editor no defence, since it is his conduct which is the subject of the complaint.⁹

5. Case of *Organiser*, 1970 Ann. Rep. 15.

6. Case of *Panch Janya*, 1971 Ann. Rep. 52.

7. *Ibid.*

8. Case of *Economic Times*, Jan. 1983 P.C.I. Rev. 67.

9. Case of *Nawa-E-Shaam*, 1968 Ann. Rep. 24.