Madras HC Order on Fake Journalists

Why in news?

The Madras High Court has ordered the Tamil Nadu government to constitute a 'Press Council of Tamil Nadu' within 3 months to weed out fake journalists.

What was the case on?

- The original case was initiated by a man (claiming to be a journalist) making allegations against a special team investigating temple idolstheft.
- It was disposed of with a direction to the Idol Wing CID to proceed with the investigation in accordance with the law.
- But, given the suspicion over the petitioner's credentials of being a journalist, the Bench has proceeded to address the larger problem of fake journalists.

What are the issues identified with fake journalists?

- Nexus with politicians, smugglers and even murderers.
- Run letter-pad publications, or even print some copies of obscure journals, and work for vested interests, but seek benefits of journalists.
- Fraudsters masquerading as journalists using posh cars with a "PRESS" sticker on the front windshield and "Human Rights" label in the rear.

What are the Court's specifications for the Council?

Composition

- Headed by a retired judge of the Supreme Court or High Court.
- Members - Team of experienced and reputed journalists (both working and retired), retired civil servants and police officials in the rank of IAS and IPS

Powers and Functions

- Regulate the distribution of identity and accreditation cards and the recognition of media bodies.
- Power to identify fake journalists and lodge complaints against them to jurisdictional police.
- Sole authority to recognise press clubs and journalists' associations or unions in the state.
    i. Shall not allow or recognise formation or continuation of clubs, unions/associations based on caste, community or state boundaries.
    ii. Conduct and approve elections to these associations.
    iii. Management should be vested with the elected team of office bearers only after such approval by the board.
- The State Government can allot any house or grant free bus passes to any applicant journalists only through the Council, which after due diligence can issue such benefits.
- Prohibit conduct of State conferences by journalists' associations without permission/approval of the Council.

    - Get details on the source of income and other relevant details before giving permission to such meetings.
- The government/council shall not issue press ID cards or stickers to the print media / magazines / dailies unless there is proof of circulation of at least 10,000 copies of their daily, weekly, fortnightly, or monthly.
    - ID cards shall be increased or decreased proportionate to their circulation.
- Receive and dispose of complaints about the media/fake journalists
    - Members of the publiccan send their complaints to the welfare board, which shall inquire and initiate criminal action.

Why is the Court's order significant?

- Creating a body and conferring it with powers and functions is generally done by law and after wider consultations.
- So, the HC's order is a sign that the judiciary has come close to formulating policy and legislation.

What role does the Press Council of India have?

'Newspapers, books and printing presses' are in the Concurrent List.

- As of now, the PCI performs the watchdog role about public complaints.
- But it lacks any substantive enforcement powers.
- Accreditation and dealing with journalist bodies are now the functions of the respective state governments.
- A powerful body to identify and accredit journalists, decide their entitlements and welfare measures, and to act as a complaints authority will need a statutory framework.

Source: The Hindu, Business Standard

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